SH2246245

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COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

A Tradition of Service

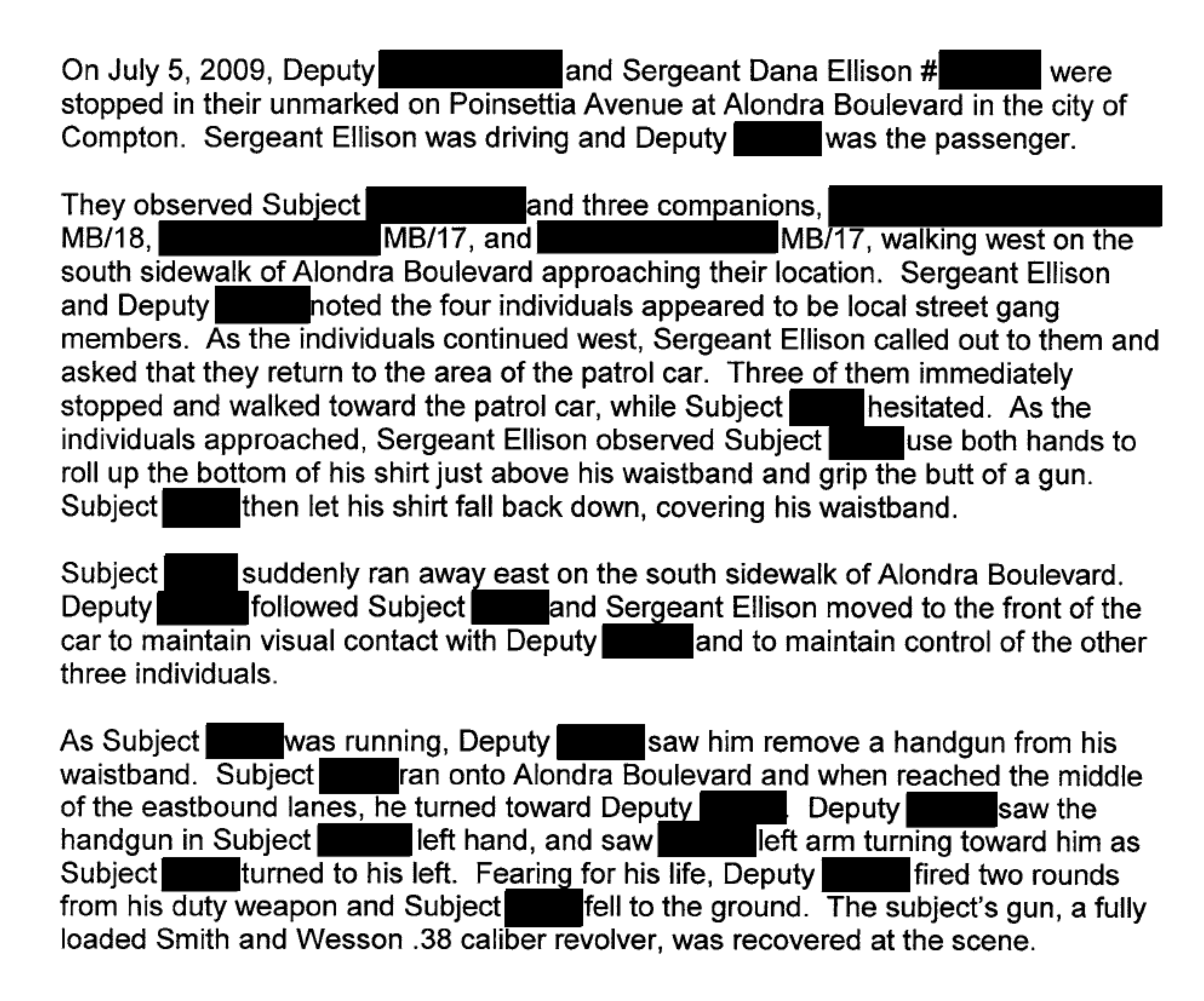
DATE: October 4, 2010

OFFICE CORRESPONDENCE FILE NO. SH2246245

FROM: ERIC B. SMITH, COMMANDER
LEADERSHIP AND TRAINING DIVISION

TO: KARYN MANNIS, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE DISPOSITION:**
DEPUTY [redacted] #[redacted]
OPERATION SAFE STREETS BUREAU



On July 5, 2009, Deputy [redacted] and Sergeant Dana Ellison #[redacted] were stopped in their unmarked on Poinsettia Avenue at Alondra Boulevard in the city of Compton. Sergeant Ellison was driving and Deputy [redacted] was the passenger.

They observed Subject [redacted] and three companions, [redacted] MB/18, [redacted] MB/17, and [redacted] MB/17, walking west on the south sidewalk of Alondra Boulevard approaching their location. Sergeant Ellison and Deputy [redacted] noted the four individuals appeared to be local street gang members. As the individuals continued west, Sergeant Ellison called out to them and asked that they return to the area of the patrol car. Three of them immediately stopped and walked toward the patrol car, while Subject [redacted] hesitated. As the individuals approached, Sergeant Ellison observed Subject [redacted] use both hands to roll up the bottom of his shirt just above his waistband and grip the butt of a gun. Subject [redacted] then let his shirt fall back down, covering his waistband.

Subject [redacted] suddenly ran away east on the south sidewalk of Alondra Boulevard. Deputy [redacted] followed Subject [redacted] and Sergeant Ellison moved to the front of the car to maintain visual contact with Deputy [redacted] and to maintain control of the other three individuals.

As Subject [redacted] was running, Deputy [redacted] saw him remove a handgun from his waistband. Subject [redacted] ran onto Alondra Boulevard and when reached the middle of the eastbound lanes, he turned toward Deputy [redacted]. Deputy [redacted] saw the handgun in Subject [redacted] left hand, and saw [redacted] left arm turning toward him as Subject [redacted] turned to his left. Fearing for his life, Deputy [redacted] fired two rounds from his duty weapon and Subject [redacted] fell to the ground. The subject's gun, a fully loaded Smith and Wesson .38 caliber revolver, was recovered at the scene.

Subject [redacted] sustained a gunshot wound to his left lower-middle back side. He was transported to Saint Francis Medical Center where he was pronounced dead.

On September 23, 2010 the Executive Force Review Committee convened and conducted a review regarding the facts of this case. The applicable policies that were evaluated by the committee were: MPP §§ 3-01/025.00, Use of Force; 3-01/025.30, Use of Firearms and Deadly Force; 3-01/025.10, Unreasonable Force; and 3-01/050.10, Performance to Standards.

Concerning:

MPP § 3-01/025.00, Use of Force, MPP § 3-01/025.30, Use of Firearms and Deadly Force, and MPP § 3-01/025.10, Unreasonable Force, the Committee determined that the force used by Deputy [redacted] #[redacted] was reasonable and necessary and in compliance with Department policy.

MPP § 3-01/050.10, Performance to Standards, the Committee determined that the tactics employed by Deputy [redacted] in this incident were within Department Policy.

Eric B. Smith, Commander

EBS:RSP/rsp



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF FRAUD AND CORRUPTION PROSECUTIONS
JUSTICE SYSTEM INTEGRITY DIVISION

STEVE COOLEY • District Attorney
JOHN K. SPILLANE • Chief Deputy District Attorney
CURTIS A. HAZELL • Assistant District Attorney

JANICE L. MAURIZI • Director

June 7, 2010

Captain David Smith
Homicide Bureau
Los Angeles County Sheriff's Department
5747 Rickenbacker Road
Commerce, California 90040

RE: J. S. I. D. File No. 09-0440
L.A.S.D. File No. # 009-11047-2843-013

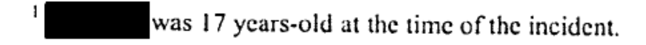
Dear Captain Smith:

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the July 5, 2009, fatal shooting of juvenile [redacted][1] by Los Angeles County Sheriff Deputy [redacted] We have concluded that Deputy [redacted] acted lawfully in self-defense.

The following analysis is based upon investigative reports, property reports, analyzed evidence reports, and summaries of witness' statements taken during the investigation by the Los Angeles County Sheriff's Department (LASD), and submitted to this office by Detective Steven Blagg and Sergeant Jeffery Cochran on January 8, 2010. The District Attorney Command Center was notified of the shooting at approximately 5:45 p.m. on July 5, 2009. The District Attorney Response Team, comprised of Deputy District Attorney Renee Cartaya and District Attorney Senior Investigator [redacted] responded to the scene. They were given a briefing of the circumstances surrounding the shooting and a "walk-through" of the scene. Compelled statements were not considered in our analysis.

FACTUAL ANALYSIS

On July 5, 2009, at approximately 3:40 p.m. as part of a the Los Angeles County Sheriff's Operation Safe Streets Bureau (OSS) Gang Enforcement Team (GET), Sergeant Dana Ellison and Deputy [redacted] were assigned to a "Summer Enforcement


[1] [redacted] was 17 years-old at the time of the incident.

Clara Shortridge Foltz Criminal Justice Center
210 West Temple Street
Los Angeles, CA 90012-3210
(213) 974-3888
WEBSITE: http://da.co.la.ca.us



Detail," and on patrol in an unmarked sheriff vehicle in the City of Compton.[2] The specific duty of GET patrol personnel was to contact and interact with gang members, or potential gang members, and the enforcement of weapons laws.[3]

While stopped at the intersection of Alondra Boulevard and Poinsettia Avenue, Ellison observed four males walking west on Alondra Boulevard and pass the front end of his patrol car. The four crossed on a red light and they appeared to be gang members. Still seated behind the driver's wheel, Ellison said, "Hey kids, come back over here and let's check for guns." Three of the male juveniles, later identified as, [redacted], [redacted] and [redacted],[4] immediately stopped, turned around, and walked back toward the patrol car. The fourth juvenile, later identified as [redacted] continued walking west.

Ellison stated that [redacted] having exited the vehicle, said to [redacted] "That means you too."[5] [redacted] turned and began walking towards Ellison's side of the patrol car. [redacted] stopped near the left front fender, closer to the windshield. Ellison observed [redacted] looking across the hood of the patrol car using the palm of his right hand to roll-up the bottom right front portion of his shirt, exposing the butt of a handgun in his waistband. [redacted] grabbed the butt of the handgun and held onto it for one second, and then released it allowing his shirt to fall concealing the gun.

While [redacted] was walking back toward the patrol car, he noticed a bulge on the left side of [redacted] hip area when [redacted] turned to his left looking at [redacted][6] Simultaneously as [redacted] walked around the front of the car, Ellison still seated in the vehicle, alerted [redacted] as he passed him to be aware of the juvenile wearing a, "Brown shirt, brown shirt." [redacted] continued to walk to the passenger side of the patrol car when he suddenly began to run east. [redacted] heard Ellison say, "He's got a gun," as [redacted] engaged [redacted] in a foot pursuit with Ellison following.

When [redacted] reached the corner of Alondra Boulevard and Poinsettia Avenue, Ellison saw [redacted] remove a gun from the waist of his pants. As [redacted] continued to run northeast across the eastbound lane of Alondra Boulevard, he turned to his left toward [redacted]. Ellison believed that [redacted] had the gun in his outstretched right hand when he

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[2] Ellison and [redacted] were wearing their "Class B" uniforms consisting of a protective armor vest, with a green cloth over the uniform. The vest cover had a Los Angeles County Sheriff cloth badge affixed to the left breast, a cloth nametag affixed to the right breast, a large patch with the word "Sheriff" on the back of the vest, a radio, and various pockets and pouches for items normally carried on duty. Ellison also had a gun belt, containing his department issued Beretta 9mm handgun. In addition to his gun belt containing a department issued Beretta 9mm 92F handgun, with two additional magazine pouches, [redacted] also had pepper spray, a taser, handcuff cases, an expandable baton, a radio, a flashlight, and a back-up .38 caliber revolver in his [redacted]

[3] In general, training and experience in the Gang Unit has shown that the first contact or interaction between police and an armed gang member often provokes a reaction, such as running from the deputy, indicative of possession of a weapon.

[4] All three were 17 years-old at the time of the incident.

[5] [redacted] recalled that Ellison made this statement.

[6] Due to the location of the bulge in [redacted] pants, [redacted] believed that the bulge was a cell phone. A cell phone was later recovered near [redacted] body.

pointed it at [redacted]. [redacted] saw [redacted] look in his direction and with his left hand pull a gun from the left side of his waistband.[7] [redacted] saw the "barrel of the gun clearing [redacted] waistline," with his left hand clenched around the butt of the gun. [redacted] saw the muzzle of the handgun coming up as [redacted] was turning his left hand, pivoting his left shoulder and the left side of his body toward him. In fear for his life, [redacted] fired two rounds from his service weapon, striking [redacted] who fell to the ground face forward. Although, [redacted] ordered [redacted] not to move, he rolled over onto his back placing his hands above his head. [redacted] saw the muzzle of the handgun protruding from under [redacted] shirt on his right side.

Ellison requested paramedics over the radio. While [redacted] provided cover, Ellison attempted to provide aid to [redacted] Failing to see any injuries on the front of [redacted] Ellison rolled him over onto his left side, where he saw a loaded .38 caliber Special revolver lying on the asphalt under the right side of [redacted] lower back.[8] Ellison recovered the gun, secured it in the trunk of his patrol vehicle and later showed it to Detectives [redacted] and Rich Lopez.

After the Compton City Fire paramedics treated [redacted], he was transported to Saint Francis Hospital Medical Center where he received further medical treatment and was subsequently pronounced dead at 4:05 p.m. by Doctor Jones.

On July 7, 2009, Deputy Medical Examiner Solomon Riley Jr., M.D., performed an autopsy on the body of [redacted]. He determined the cause of death was due to a gunshot wound. A toxicological analysis was conducted as a part of the autopsy and revealed measurable amounts of marijuana in the decedent's blood.

On July 10, 2009, Los Angeles County Coroner Research Criminalist Margaret Kaleuati conducted an electron microscopy/energy dispersive spectroscopy (SEM/EDS) analysis of the decedent's right and left hands. The analysis revealed several consistent particles of gunshot residue on the right hand and few consistent particles of gunshot residue on the left hand. Kaleuati opined that the deceased may have discharged a firearm, had his hands otherwise in an environment of gunshot residue, or received these particles from an environmental source.

On October 27, 2009, Senior Criminalist Michelle Madrid conducted a biological examination for deoxyribonucleic acid (DNA) and determined an insufficient amount of DNA was obtained from [redacted] gun to conduct an analysis.

Investigators canvassed the area for witnesses who saw the shooting and conducted interviews concerning the incident. Although none of the witness below saw the shooting, some of them saw portions of the incident.

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[7] A review of security cameras from a nearby [redacted] revealed that [redacted] ran past the [redacted] with the gun in his left hand. Detectives interviewed [redacted], who indicated that [redacted] was right-handed.

[8] The gun was a Smith and Wesson, with the serial number obliterated and loaded with six live rounds.

[redacted] was walking home from the McDonald's located at Long Beach and Alondra Boulevards with his friends, [redacted], [redacted], and [redacted] As they walked westbound on Alondra Boulevard, [redacted] saw an unmarked patrol car drive northbound on Poinsettia Avenue and stop at Alondra Boulevard. [redacted] looked inside the vehicle and saw two Sheriff's deputies. When they crossed Poinsettia Avenue, Ellison asked the group to come over to his car. All four walked to the car and placed their hands on the hood. While still seated in the car, Ellison asked all of them to lift up their shirts and they complied. When [redacted] lifted his shirt [redacted] only saw his bare skin. He did not see a gun. Simultaneously as [redacted] exited the passenger door, [redacted] ran eastbound away from the patrol car. [redacted] shouted, "Stop, running!" However, [redacted] continued to run. [redacted] had already drawn his service weapon. [redacted] saw [redacted] fire his service weapon twice and watched [redacted] fall on his back in the street. After he heard Ellison requesting help over the radio, [redacted] saw him bend down and recover a gun from [redacted] right side. Ellison placed the gun in the patrol vehicle.

[redacted] statement was substantially similar to [redacted] statement with a few exceptions. [redacted] stated that the group was told to lift their shirts up prior to being ordered to place their hands on the hood of the vehicle. When Ellison started to get out of the patrol car, [redacted] ran. [redacted] exited shouting, "Freeze!" [redacted] failed to comply and continued fleeing. [redacted] fired his service weapon twice at [redacted] as [redacted] was turning. [redacted] saw Ellison pick up a gun from the middle of the street near where [redacted] lay.

[redacted] was in the front yard of her home watching her children, when she saw an unmarked Sheriff's patrol unit northbound on Poinsettia at the traffic signal. She saw four kids walking along the sidewalk. She looked away and back again a little later, and saw that either three or four of the kids were on their knees at the front bumper of the patrol car. She then heard a deputy repeatedly shouting, "Stop!" Almost immediately thereafter, she heard one or two gunshots. After hearing the gunshot, she saw a deputy approaching someone lying in the eastbound lanes of Alondra Boulevard and ordering, "Stop moving! Stop moving!"

[redacted] was working at [redacted] located at [redacted] East Alondra Boulevard in the City of Compton when she heard gunshots. She looked through the large north picture window and saw a deputy pointing a firearm at [redacted] who was lying in the street. A second deputy approached and she saw the deputy search [redacted] and retrieve a firearm from around the waist area.

LEGAL ANALYSIS

California law permits the use of deadly force in self-defense or in the defense of others if it reasonably appears to the person claiming the right of self-defense or the defense of others that he actually and reasonably believed that he or others were in imminent danger of great bodily injury or death. (*People v. Williams* (1977) 75 Cal.App.3d 731.)

In protecting himself or another, a person may use all force which he believes reasonably necessary and which would appear to a reasonable person, in the same or similar circumstances, to be necessary to prevent the injury which appears to be imminent. *California Criminal Jury Instructions 3470.*

When the peril is swift and imminent and the necessity for action immediate, the law does not weigh into nice scales the conduct of the assailed and say he shall not be justified in killing because he might have resorted to other means to secure his safety. (*People v. Collins* (1961) 189 Cal. App.3d 575).

CONCLUSION

The evidence examined in this investigation shows that [redacted] was in possession of a handgun and attempted to flee from the deputies. Despite the repeated commands by Deputy [redacted] to stop, [redacted] continued to flee. Suddenly, during the pursuit, [redacted] turned around and pointed a handgun at Deputy [redacted]. Fearing for his life, he fired his service weapon, fatally striking [redacted] and ultimately ending a potentially lethal situation.

Given the appearance of a rapidly evolving, life-threatening situation that confronted Deputy [redacted], we conclude he acted lawfully in self-defense. We are therefore closing our file and will take no further action in this matter.

Very truly yours,

STEVE COOLEY
District Attorney

By

CORENE S. LOCKE-NOBLE
Deputy District Attorney
(213) 974-3880

c: Deputy [redacted] # [redacted]

Los Angeles County Sheriff's Department
Officer Involved Shooting

Report Date: 03/22/10	Bureau/Station/Facility: OSS/GET	Admin. Invest.? ☐ Hit? ☐

Incident Information

URN: 009-11047-2843-013	Date: 07/05/09 Time: 1540
City or Station: Compton	Nature of Incident: Deputy [redacted] and Sergeant Dana Ellison, were working as a gang enforcement unit in the Compton Station area when they detained four males. Deputy [redacted] was involved in a OIS when one of the males ran and turned holding a handgun.
Location: 1300 East Alondra Blvd Compton	

Location Type (*circle one or more*): Backyard, Beach, Business, Freeway, Industrial, Park, Parking Lot, Residence, Rural, School, **(Street)** — circled; Other: ______

Lighting (*circle only one*): Darkness, **(Daylight)** — circled, Other, Street Lights

Weather (*circle only one*): **(Clear)** — circled, Cloudy, Fog, Rain

Distance: Approximately 28 feet

Incident Type (*circle one or more*): Accidental, **(Armed Person)**, **(Fleeing Suspect)**, **(Foot Pursuit)** — circled, Gun Take Away, Moving Vehicle, Sniper/Ambush, Startle, Struggle Involved, Traffic Stop, Unarmed Person, Unintentional, Vehicle Pursuit, Warrant Service, Warning Shot, Other: Ped stop

Initiated by (*circle only one*): Arrest Warrant, Call, **(Observation)** — circled, One Person Unit, Other, Search Warrant, Two Person Unit

Prior Activity (*circle only one*): Detective, Inmate Transport, Other, **(Routine Patrol)** — circled

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect	Aero Unit?	Canine Unit?
2	none	☐	☐

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*)	ShiftType (*circle only one*)
[redacted]	Ellison	Dana		EM **(PM)** Day	Regular **(Overtime)** Off Duty
				EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty

Non-Employee Witnesses

Last Name	First Name	M.I.		
[redacted] M/17				
Street Address	**City**	**Zip Code**	**Work Ph**	**Home Ph**
on file at Homicide				
Last Name	**First Name**	**M.I.**		
[redacted] M/17				
Street Address	**City**	**Zip Code**	**Work Ph**	**Home Ph**
on file at Homicide				
Last Name	**First Name**	**M.I.**		
[redacted] M/17				
Street Address	**City**	**Zip Code**	**Work Ph**	**Home Ph**
on file at Homicide				

Supervisors

Employee #	Last Name	First Name	M.I.	(*circle one or more*)
[redacted]	Ellison	Dana		On Duty, **(Present during shooting)**, **(Witness to shooting)**, Involved in shooting
				On Duty, Present during shooting, Witness to shooting, Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	McCAHY	LEONARD	

PSTD Use Only
SH # ______

Officer Involved Shooting

URN: 009-11047-2843-013

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
07/05/09	1630	03/22/10	

Employee #	Last Name	First Name	M.I
[redacted]	Bly	David	
[redacted]	Gealta	Diana	
[redacted]	Grimaldi	Mike	

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious

(RM) Refused Med Treatment

(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
E-1	S-1	FH	BR	9	Y	Y	DH	BK

See Front Side

Officer Involved Shooting
Involved Employee Information



URN: 009-11047-2843-013

Involved Employee

E 1

Employee # [redacted]	Last Name [redacted]		First Name [redacted]		M.I. [redacted]
Sex: [redacted] Race: [redacted]	Rank [redacted]	Unit Assignment: [redacted]	Work Assignment (Unit #, Module, etc.): [redacted]		
ShiftTime (*circle only one*): [redacted]	ShiftType (*circle only one*): [redacted]	Intoxication/Drug Usage? ☐	Substance Used:		
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # 2009-04643		Interviewed? ☐
Hrs of sleep prior to shooting: 8-10	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest / Plain Clothes w/ Vest / Raid Jacket no Vest / Raid Jacket w/ Vest / Uniform no Vest / (Uniform w/ Vest)	Other Factors:		
Age: [redacted] Height: [redacted] Weight: [redacted]					
Range Qualification Date: [redacted]		PPC Qualification Date: [redacted]	Laser Training Date: [redacted]		
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted]	Number of Prior Shootings: [redacted]	Directed Force: [redacted]
Weapons Fired Brand: Beretta	Caliber 9MM	# Shots 2	Weapons Fired Brand:	Caliber	# Shots
Field Training Officer Emp # [redacted]	Last Name [redacted]		First Name [redacted]		M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]		First Name [redacted]		M.I. [redacted]

E__

Employee #	Last Name		First Name		M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):		
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:		
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #		Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest / Plain Clothes w/ Vest / Raid Jacket no Vest / Raid Jacket w/ Vest / Uniform no Vest / Uniform w/ Vest	Other Factors:		
Age: Height: Weight:					
Range Qualification Date:		PPC Qualification Date:	Laser Training Date:		
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐	Number of Prior Shootings:	Directed Force: ☐
Weapons Fired Brand:	Caliber	# Shots	Weapons Fired Brand:	Caliber	# Shots
Field Training Officer Emp #	Last Name		First Name		M.I.
Field Training Officer Emp #	Last Name		First Name		M.I.

E__

Employee #	Last Name		First Name		M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):		
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:		
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #		Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest / Plain Clothes w/ Vest / Raid Jacket no Vest / Raid Jacket w/ Vest / Uniform no Vest / Uniform w/ Vest	Other Factors:		
Age: Height: Weight:					
Range Qualification Date:		PPC Qualification Date:	Laser Training Date:		
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐	Number of Prior Shootings:	Directed Force: ☐
Weapons Fired Brand:	Caliber	# Shots	Weapons Fired Brand:	Caliber	# Shots
Field Training Officer Emp #	Last Name		First Name		M.I.
Field Training Officer Emp #	Last Name		First Name		M.I.

See Other Side

Officer Involved Shooting Suspect Information

URN: 009-11047-2843-013

Suspect Information

S 1

Last Name [redacted]	First Name [redacted]	M.I.
AKA Last Name	First Name	M.I.

Sex: M Race: B	Street Address: [redacted]	City [redacted]	State & Zip Code: [redacted]
Work Phone:	Home Phone:	Social Security #:	Driver's License #: [redacted]
Age: 16 D.O.B. [redacted]	Height: 510 Weight: 150	FBI # [redacted]	CII # [redacted]
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☒	Coroner Case # 2009-04643	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☒	Apprehended? ☐	Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make none		Model:	Year:

S__

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.

Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S__

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.

Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S__

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.

Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

See Other Side

SUPPLEMENTAL NON-EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Non-Employee Witnesses

Last Name	First Name	M.I.
[redacted] M/21		

Street Address	Zip Code	Work Ph	Home Ph
on file at Homicide			

Last Name	First Name	M.I.
[redacted] M/8		

Street Address	Zip Code	Work Ph	Home Ph
on file at Homicide			

Last Name	First Name	M.I.
[redacted] F/42		

Street Address	Zip Code	Work Ph	Home Ph
on file at Homicide			

Last Name	First Name	M.I.
[redacted] F/22		

Street Address	Zip Code	Work Ph	Home Ph
[redacted]			[redacted]

Last Name	First Name	M.I.
[redacted] F/25		

Street Address	Zip Code	Work Ph	Home Ph
[redacted]			[redacted]

Last Name	First Name	M.I.
[redacted] F/20		

Street Address	Zip Code	Work Ph	Home Ph
[redacted]			[redacted]

Last Name	First Name	M.I.
[redacted] M/12		

Street Address	Zip Code	Work Ph	Home Ph
[redacted]			[redacted]

Last Name	First Name	M.I.
[redacted] M/11		

Street Address	Zip Code	Work Ph	Home Ph
[redacted]			[redacted]

Last Name	First Name	M.I.
[redacted] F/21		

Street Address	Zip Code	Work Ph	Home Ph
[redacted]		[redacted]	

Last Name	First Name	M.I.

Street Address	Zip Code	Work Ph	Home Ph

Last Name	First Name	M.I.

Street Address	Zip Code	Work Ph	Home Ph

Last Name	First Name	M.I.

Street Address	Zip Code	Work Ph	Home Ph

Last Name	First Name	M.I.

Street Address	Zip Code	Work Ph	Home Ph

Last Name	First Name	M.I.

Street Address	Zip Code	Work Ph	Home Ph

Last Name	First Name	M.I.

Street Address	Zip Code	Work Ph	Home Ph

Last Name	First Name	M.I.

Street Address	Zip Code	Work Ph	Home Ph

INVESTIGATIVE SUMMARY
DEPUTY INVOLVED HIT SHOOTING
IAB CASE NUMBER SH2246245
URN #009-11047-2843-013

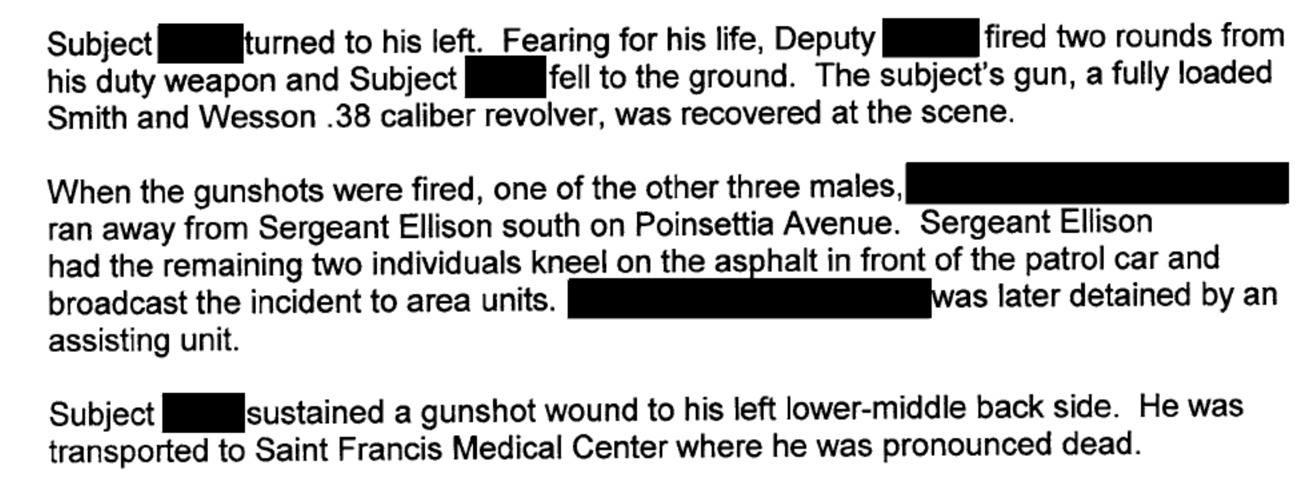
On July 5, 2009, at approximately 1630 hours, Sergeants David Bly and Diana Gealta along with Lieutenant Mike Grimalda responded to 1300 East Alondra Blvd, Compton, regarding a deputy involved hit shooting involving personnel from OSS/GET. Homicide Investigators Jeffrey Cochran and Steven Blagg responded to conduct the criminal investigation.

On July 5, 2009, at approximately 1540 hours, Deputy [redacted] and Sergeant Dana Ellison, were working as a gang enforcement unit in the Compton Station area. They were stopped in their unmarked, but emergency equipped, patrol car facing north on Poinsettia Avenue at Alondra Boulevard in the city of Compton. Sergeant Ellison was driving and Deputy [redacted] was the passenger.

While stopped at the intersection, they observed Subject [redacted] and three companions, [redacted] MB/18, [redacted] MB/17, and [redacted] MB/17, walking west on the south sidewalk of Alondra Boulevard approaching their location in the intersection. Sergeant Ellison and Deputy [redacted] noted that the four individuals appeared to be local street gang members based upon their manner of dress, gait, and gesture. As the individuals passed by the front of the patrol car and continued west through the intersection, Sergeant Ellison called out to them and asked that they return to the area of the patrol car. Three of them immediately stopped and walked toward the patrol car, while Subject [redacted] hesitated. Deputy [redacted] prompted Subject [redacted] to return to the car, and he did. As the individuals approached, Sergeant Ellison observed Subject [redacted] use both hands to roll up the bottom of his shirt just above his waistband and grip the butt of a gun concealed there. Sergeant Ellison believed this action might have been an attempt to obscure the gun butt from his view. Subject [redacted] then let his shirt fall back down, covering his waistband.

At first Subject [redacted] walked toward the front of the patrol car, he then suddenly ran away east on the south sidewalk of Alondra Boulevard. Deputy [redacted] followed Subject [redacted] and Sergeant Ellison moved to the front of the car to maintain visual contact with Deputy [redacted] and to maintain control of the other three individuals.

As Subject [redacted] was running, Deputy [redacted] saw him remove a handgun from his waistband. Subject [redacted] ran northeast onto Alondra Boulevard approximately 80-85 feet east of Poinsettia Avenue. When Subject [redacted] reached the middle of the eastbound lanes, he turned to his left, toward Deputy [redacted], who was positioned on the south sidewalk, south-southwest of Subject [redacted] position. Deputy [redacted] saw the handgun in Subject [redacted] left hand, and saw [redacted] left arm turning toward him as



Subject [redacted] turned to his left. Fearing for his life, Deputy [redacted] fired two rounds from his duty weapon and Subject [redacted] fell to the ground. The subject's gun, a fully loaded Smith and Wesson .38 caliber revolver, was recovered at the scene.

When the gunshots were fired, one of the other three males, [redacted] ran away from Sergeant Ellison south on Poinsettia Avenue. Sergeant Ellison had the remaining two individuals kneel on the asphalt in front of the patrol car and broadcast the incident to area units. [redacted] was later detained by an assisting unit.

Subject [redacted] sustained a gunshot wound to his left lower-middle back side. He was transported to Saint Francis Medical Center where he was pronounced dead.

IAB Note: The summary of this incident is based on physical evidence collected at the scene by Los Angeles County Sheriff's Department Crime Lab personnel, Homicide investigator's observations, as well as information obtained from the original crime report and supplemental reports along with interviews of the involved employee and witnesses. (*Refer to Exhibits A through E)*

IAB Note: IAB Lieutenant Mike Grimaldi checked to see that the Watch Commander, Leonard McCary, took reasonable steps to ensure that the involved and witness personnel did not discuss the incident among themselves or with uninvolved persons prior to being interviewed by the assigned investigators, In addition, IAB Lieutenant Mike Grimaldi checked to see if the Watch Commander attempted to have involved and witness personnel gather in the company of a supervisor until they have provided a statement to the assigned investigators.

INVOLVED PERSONNEL

[redacted] Deputy Sheriff, #[redacted]
Field Operations Region II
OSS/GET

Work History



Date of Employment [redacted]
Date Assigned to Patrol [redacted]
Date Completed Patrol Training [redacted]
Prior Shooting Incidents [redacted]
Prior Founded Force Incidents [redacted]

SUBJECT

[redacted] MB/16, DOB: [redacted] deceased

Subject [redacted] Consolidated Criminal history Report (CCHRS) [redacted] Subject [redacted] was on juvenile probation for 243.2(a) P.C. at the time of the shooting.

> **IAB Note: See to Exhibit "A" pages 100-112 for further information.**

SWORN WITNESSES

Ellison, Dana, Sergeant, #[redacted]
Field Operations Region II
OSS/GET

CIVILIAN WITNESSES

[redacted] M/17
Address and phone number on file at Homicide

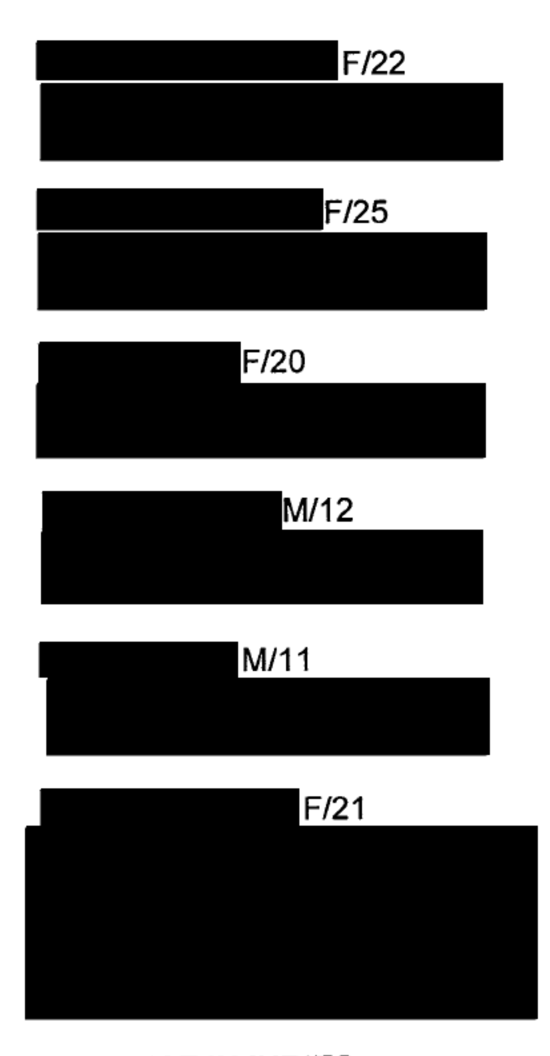
[redacted] M/17
Address and phone number on file at Homicide

[redacted] M/17
Address and phone number on file at Homicide

[redacted] M/21
Address and phone number on file at Homicide

[redacted] M/8
Address and phone number on file at Homicide

[redacted] F/42
Address and phone number on file at Homicide



[redacted] F/22
[redacted]

[redacted] F/25
[redacted]

[redacted] F/20
[redacted]

[redacted] M/12
[redacted]

[redacted] M/11
[redacted]

[redacted] F/21
[redacted]

SUBJECT INJURIES

Subject [redacted] was treated at the scene by City of Compton Fire Engine #42 under the command of Captain Perez. Subject [redacted] was subsequently, transported via ambulance to Saint Frances Hospital, 3630 East Imperial Highway Lynwood (310) 900-8900, where he was treated for a gunshot wound. Doctor Jones pronounced Subject [redacted] dead at 1605 hours.

IAB Note: See Exhibit "A", page 88, for supplemental report authored by Deputy Luzzi.

DEPUTY INJURIES

A small laceration on Deputy [redacted] left thumb and his left thumb nail lifted from the nail bed. The injury occurred during the shooting.

PHYSICAL EVIDENCE

The following items of evidence were collected from the shooting scene.

Item	1	Expended cartridge case
Item	2	Expended cartridge case.
Item	3	(1) Pair brown/tan "Vans" gyn shoes and (1) pair gray socks.
Item	4	(1) Brown shirt.
Item	5	(1) T-Mobile "Side Kick" cellular phone.
Item	6	(2) One dollar, U.S. currency bills.
Item	7	(1) Bullet fragment.
Item	8	(1) Smith and Wesson revolver with an obliterated serial number.

IAB Note: See Exhibit "A", pages 145 and 146 for crime scene diagram and evidence list. See pages 147 and 148 for a supplemental report authored by CSI Rowles for further information.

IAB Note: See Exhibit "A" page 153 where it is documented no latent prints were developed from the recovered handgun (Item-8).

IAB Note: See Exhibit "A" Pages 154-156 where it is documented a complete DNA test was not conducted on the recovered handgun (Item-8) because of a lack of DNA substance recovered from the gun.

INVESTIGATORS OBSERVATIONS

The physical evidence at the shooting scene appeared to be consistent with [redacted] security video, witnesses statements, Sergeant Ellison's statement and Deputy [redacted] statements.

A review of the radio dispatch tapes revealed the following:

Dispatch-9

1543 hours: OSS Sam-2 (Sergeant Ellison) advised 998 at Poinsettia and Alondra. He stated one Subject down, two Subjects being detained, and one Subject running south. Units 290N17 and 283B2 responding. Sergeant advised the outstanding Subject's description.

1544 hours: Sergeant Ellison requested 902R, advised the Subject's handgun was recovered, and started to set up a containment/traffic control.

1554 hours: Air-8 responding in two minutes.

1546 hours: 280L Requested an unit to set up a containment and for another SAM unit to respond to the scene.

1547 hours: Unknown unit advised they had the outstanding Subject detained.

IAB Note: See Exhibit "E" for a compact disk containing recordings of the radio traffic.

A review of [redacted] security video of the front exterior (camera #8) and west facing interior/exterior (camera #5) of the building revealed the following:

Camera #8

1539 hours 32 seconds: Subject [redacted] and his three friends are seen walking westbound on the south sidewalk of Alondra Blvd.

1540 hours 06 seconds: Subject [redacted] is holding a gun in his left hand running eastbound on the south sidewalk of Alondra Blvd.

1540 hours 07 seconds: Deputy [redacted] is holding his weapon with both hands following Subject [redacted]

1540 hours 08 seconds: Deputy [redacted] is pointing his weapon in a northeast direction toward Alondra Blvd.

1540 hours 10 seconds: Deputy [redacted] lower legs only are seen in the video frame.

1540 hours 50 seconds: Sergeant Ellison is walking eastbound in the middle of Alondra Blvd.

1541 hours 12 seconds Sergeant Ellison is walking westbound in the middle of Alondra Blvd and appears to be talking on his hand held radio.

Camera #5

1539 hours 44 seconds:	Sergeant Ellison and Deputy [redacted] drive up to and stop, northbound Poinsetta at Alondra Blvd.
1539 hours 58 seconds:	Deputy [redacted] exited the car and walked around the vehicle to the driver's side and out of view.
1540 hours 07 seconds:	[redacted] is running southbound on Poinsetta Ave and out of view.

The above times were taken from [redacted] security video. According to [redacted] time stamp, the whole incident, from the time deputies contacted the males until the shooting occurred, took approximately 38 seconds.

IAB Note: See Exhibit "D" for a DVD containing [redacted] security video (8 different camera positions) and still photos from camera #8.

Los Angeles County Coroner's Autopsy Report documented Subject [redacted] suffered one gunshot wound. The gunshot round entered Subject [redacted] left, lower-middle back side and came to rest in his upper-right front chest area. The round traveled from left to right, back to front, and upward (see autopsy diagram in **Exhibit "A" page 120** for further information).

The entry of the gunshot round and the direction of travel, would be consistent with Subject [redacted] being shot as he turned to his left to face Deputy [redacted].

The autopsy findings were documented under report #2009-04643, by Deputy Medical Examiner, Solomon L. Riley, JR., M.D.

IAB Note: See Exhibit "A" pages 114-132, Autopsy Report, for further information.

WEAPON USED BY DEPUTY PERSONNEL

[redacted], Deputy Sheriff

Service Weapon: Department authorized/issued Beretta 9mm, Model 92F, semi-automatic pistol, with "Sure Fire" tactical light attached to the frame and a "Crimson Trace" laser attached to the grip serial number BER[redacted]

Ammunition: Luger, 9mm, two rounds fired with fourteen rounds left in weapon.

Shell Casings: A total of two expended shell casings were found at the shooting scene near where Deputy [redacted] reported shooting from.

Date last qualified: [redacted]

> **IAB Note: See Exhibit "A" page 160 where it is documented Deputy [redacted] pistol was found to be functional with no documented irregularities.**

WEAPON USED BY SUBJECT [redacted]

Loaded (6 rounds) Smith and Wesson .38 caliber revolver, obliterated serial number.

PROPERTY DAMAGE

None

CRIMINAL INVESTIGATOR/CHARGES FILED

None

LIGHTING AND WEATHER CONDITIONS

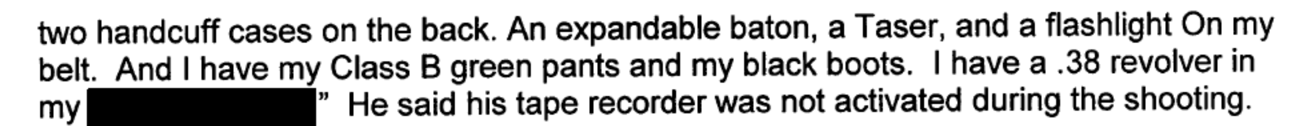
The incident occurred during daylight hours. The weather was warm and clear.

INVOLVED DEPUTY STATEMENTS

Deputy [redacted] #[redacted] OSS/GET, was interviewed on July 6, 2009 at 0014 hours by Homicide Detectives Cochran and Blagg at Compton Station and on July 17, 2009 by Homicide Detectives Blagg and Gates. He was also interviewed on March 17, 2010 at 0943 hours by Internal Affairs Bureau Sergeants David Bly and Brenda Parker. The interview took place at Internal Affairs Bureau and all three interviews were recorded for review. The following is a summary of all of the interviews.

Deputy [redacted] said he has been a Deputy Sheriff for seven years with five years patrol experince and working on a OSS/GET team over the last year. He said he started his shift at [redacted] and was working with Sergeant Ellison, unit OSS-Sam-2. He said Sergeant Ellison was the driver and he was the passenger.

Deputy [redacted] described the uniform he was wearing at the time of the shooting. He said, "I have a green outer vest, which has Sheriff's patch on it. My last name. I have a radio attached to my vest. I have a Sheriff's star on my left shoulder, on my left chest area. I have a tape recorder. I have two extra magazines. Two pouches which contain documentation stuff, a booklet. I have a pencil, pen, and eraser. Handcuff key. Underneath my vest I have my Class B uniform, which has Los Angeles County Sheriff patches on both sides. My Sheriff's star is visible a little bit from the side of my vest, and additional one. I'm wearing a full duty belt. I have pepper spray on my right side followed by a key keepers. I have a drop-down leg holster which carries my 9-millimeter Department-issue Beretta. I have a Leatherman tool right after that. I have



two handcuff cases on the back. An expandable baton, a Taser, and a flashlight On my belt. And I have my Class B green pants and my black boots. I have a .38 revolver in my [redacted]" He said his tape recorder was not activated during the shooting.

Deputy [redacted] described the unmarked vehicle they were using. He said, "A titanium or gray, dark grayish Detective Bureau car with no light bar on top. No markings. It, it does have a forward facing red light in the middle. And in the grill. I don't know if it's got one or two lights. But it has lighting equipment on it. And the back has a blue, and either a red or an amber light. It has spotlights on it. And it's equipped with a siren. And it has a, an MDT."

Deputy [redacted] said he and Sergeant Ellison never worked together as partners before. He said he and Sergeant Ellison did not have a prior conversation about tactics during a stressful situation or what each of them expected from each other when confronting suspects. He said he did not think there was a need for them to have that type of conversation. He said, "The reason being is we both worked ghetto areas. We both know how to -- how to deal with these guys. We both know he -- I know he knows how the policy goes. He knows I know how policy goes. The comfort level is there even though we never worked together, he supervised me for a good part of the time. Not as a direct supervisor but he's been involved in a lot of the things I do. He knows that I have a working knowledge of what to do and how to act. I won't do anything foolish. And it wasn't -- it's like, it was like there's no need to tell him what, you know, what we were gonna do because it's almost understood, you know? If a guy takes off running, see what's up. If he's got a containment, we're gonna set up a containment. It's just, you know, it's -- it's just the way it is. If you can't catch him in a certain amount of time, you know, it's just common knowledge between, I guess, you know? There's no need for us to sit there and -- the trust is there."

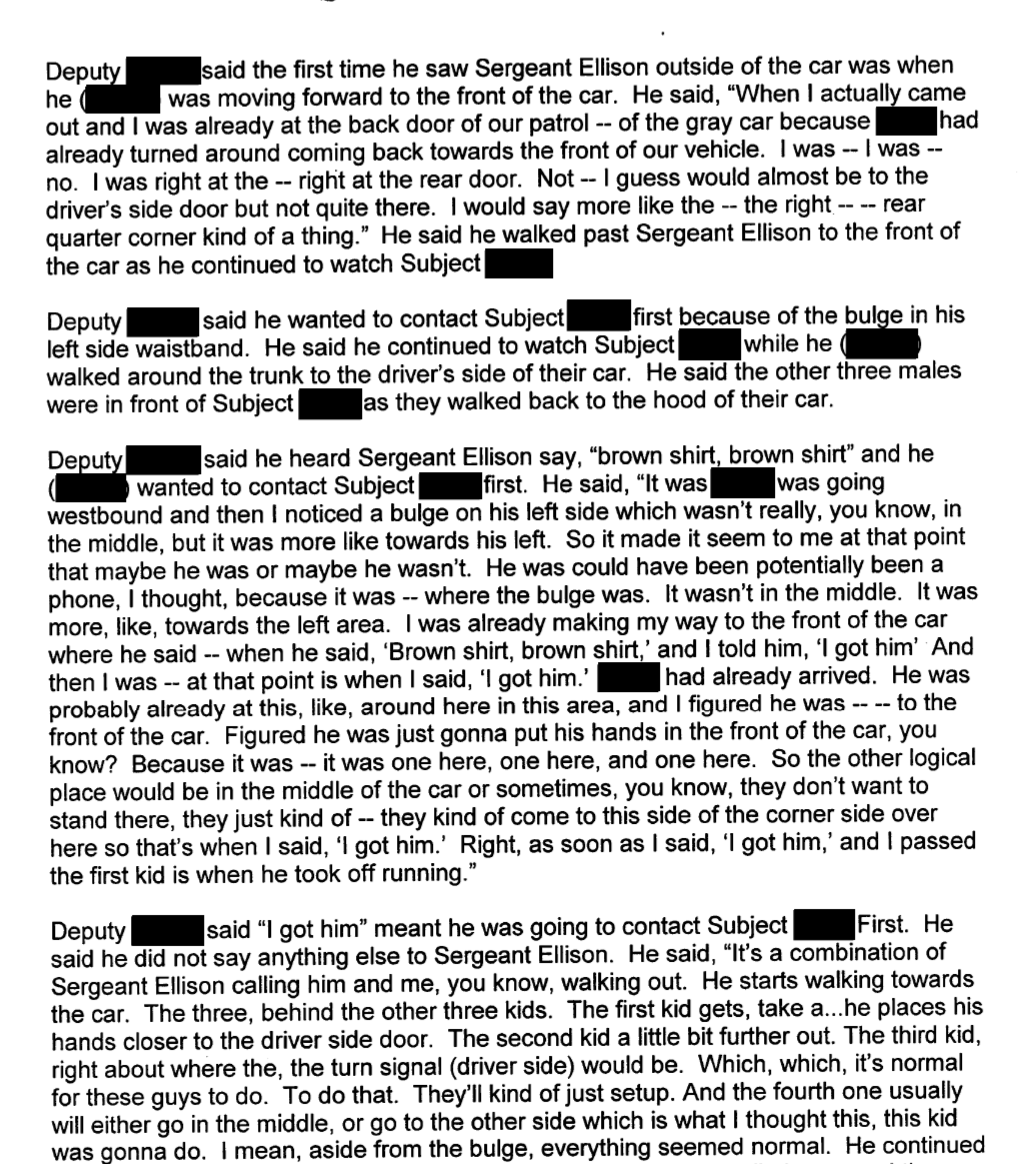
Deputy [redacted] said he was not that familiar with the Compton area and Sergeant Ellison was showing him the city. He said, "We were...Sergeant Ellison was showing me some of the spots where South Side Crips hangs out, as I'm not too familiar with the area of Compton. I worked Century most of my time, so at the beginning of shift, I said, 'you know, it's gonna be a learning experience for me.' And he was showing me the spots where these guys hang out. We were coming northbound on Poinsettia approaching Alondra. And the light, I saw the light turned green for us. Sergeant Ellison was gonna continue to go. I don't know if he was gonna go straight. But he came, kind of came to, you know, slow down because he was, he was gonna stop. I saw, I was looking ahead. I saw four kids, four young males step off the curb, kind of continued going, and then take like, like a double look. Probably, in my opinion, realized that we weren't just a regular car, that we were Deputy Sheriffs, and stepped right back up to the curb. At that time, Sergeant Ellison had already stopped his car. The kids went in front of us. And they were walking. They were on the south side of Alondra going westbound."

Deputy [redacted] said his attention was drawn to Subject [redacted] because had a bulge under his shirt. He said, "As the kids cross, cross in front of us, I notice three kids and, and a kid with a brown shirt (Subject [redacted]) which was closer to Alondra Boulevard. He was in a, he was in the sidewalk. He was further, he was out the most. Sergeant Ellison called the kids, 'hey, youngsters, you know, come here.' Of course they had, you know, just crossed in front of us on a green light. Three of the kids immediately turned around. The fourth kid kind of looked in our direction and continued to walk westbound. Sergeant Ellison told him 'hey, you too, come here', at which time I exited the patrol car or the, the vehicle, and went towards the back, thinking this guy was gonna, you know, potentially take off running. So I came out to the back, and as I came to where the trunk is, I'm looking at him. He turned around. He looked at me. And he started to walk back towards the car. As he's walking back towards the car, as he turned around, I noticed a bulge on his left side. My first impression was this guy's got a....on the left side of...not, not in the front, but more like on his hip area. And my first impression was, he has a Sidekick, because most of these guys carry Sidekicks. They don't carry regular flip phones. They have Sidekicks."

IAB Note: A Sidekick is a cell phone from T-Mobile, which is a little larger than a regular cell phone and the Sidekick is marketed toward people who frequently text message.

Deputy [redacted] said he thought it was tactically better for him to approach the males from the rear-driver's side of their car rather than moving to the front of the car from the passenger side. He said, "If he was gonna take off running where he was from, he could go either -- one of two ways. He could either go southbound or he could go westbound. So I figure if I come over here, I already have the point of advantage coming -- try to cut him off southbound. Because at this point, he hadn't really noticed where I was at. So if I came here he already had the point of advantage he was gonna come southbound, I was gonna cut him off. Versus me coming around the front of the car and having to actually chase him if he try to take off westbound, I was gonna be behind him already with -- with, you know, some lag time or if he went southbound, I would still be behind him with some lag time. So I figure if I come up this way I could -- I came around pretty quick so I could either cut him off right here or actually take an angle and cut him off up here. So in my opinion, it was tactical for me to be there while these guys were here and just in case also if something happened with these three guys and if Dana would have to shoot, I wasn't gonna be in the line of fire for him engaging these guys."

Deputy [redacted] said he did not order the males to lift their shirts up and he did not hear Sergeant Ellison tell them to lift their shirts. Deputy [redacted] said at some point, while he was moving around their car toward the males, he heard Sergeant Ellison yell, "he has a gun." Deputy [redacted] said he did not know to whom Sergeant Ellison was referring to.



Deputy [redacted] said the first time he saw Sergeant Ellison outside of the car was when he ([redacted] was moving forward to the front of the car. He said, "When I actually came out and I was already at the back door of our patrol -- of the gray car because [redacted] had already turned around coming back towards the front of our vehicle. I was -- I was -- no. I was right at the -- right at the rear door. Not -- I guess would almost be to the driver's side door but not quite there. I would say more like the -- the right -- -- rear quarter corner kind of a thing." He said he walked past Sergeant Ellison to the front of the car as he continued to watch Subject [redacted]

Deputy [redacted] said he wanted to contact Subject [redacted] first because of the bulge in his left side waistband. He said he continued to watch Subject [redacted] while he ([redacted]) walked around the trunk to the driver's side of their car. He said the other three males were in front of Subject [redacted] as they walked back to the hood of their car.

Deputy [redacted] said he heard Sergeant Ellison say, "brown shirt, brown shirt" and he ([redacted]) wanted to contact Subject [redacted] first. He said, "It was [redacted] was going westbound and then I noticed a bulge on his left side which wasn't really, you know, in the middle, but it was more like towards his left. So it made it seem to me at that point that maybe he was or maybe he wasn't. He was could have been potentially been a phone, I thought, because it was -- where the bulge was. It wasn't in the middle. It was more, like, towards the left area. I was already making my way to the front of the car where he said -- when he said, 'Brown shirt, brown shirt,' and I told him, 'I got him' And then I was -- at that point is when I said, 'I got him.' [redacted] had already arrived. He was probably already at this, like, around here in this area, and I figured he was -- -- to the front of the car. Figured he was just gonna put his hands in the front of the car, you know? Because it was -- it was one here, one here, and one here. So the other logical place would be in the middle of the car or sometimes, you know, they don't want to stand there, they just kind of -- they kind of come to this side of the corner side over here so that's when I said, 'I got him.' Right, as soon as I said, 'I got him,' and I passed the first kid is when he took off running."

Deputy [redacted] said "I got him" meant he was going to contact Subject [redacted] First. He said he did not say anything else to Sergeant Ellison. He said, "It's a combination of Sergeant Ellison calling him and me, you know, walking out. He starts walking towards the car. The three, behind the other three kids. The first kid gets, take a...he places his hands closer to the driver side door. The second kid a little bit further out. The third kid, right about where the, the turn signal (driver side) would be. Which, which, it's normal for these guys to do. To do that. They'll kind of just setup. And the fourth one usually will either go in the middle, or go to the other side which is what I thought this, this kid was gonna do. I mean, aside from the bulge, everything seemed normal. He continued to walk, but he kept looking at me. And as, as he continued to walk, he passed the push bars of the car, and he started to walk towards the car, like he was gonna put his hands. It wasn't until I passed the first kid...I, I continue going...as I'm coming around here, now I'm walking towards the, to the front, to the driver's side. So I'm more on the, the left side of the vehicle. I passed the first kid. And it's at that point where I believe he probably realized, okay, 'I'm gonna get searched first', that he took off running. I

wasn't exactly sure what this guy was running for. So I took after him. I was on the sidewalk running eastbound; as he's running eastbound, he tries to go in a diagonal way across Alondra Boulevard. As he's...he gets to like almost the middle of the street, takes out a gun. I, I remember seeing him grabbing the grip of the pistol, coming out."

During Deputy [redacted] IAB interview, he said he first saw Subject [redacted] with a handgun while he was in front of Winchell's. He said he drew his gun when he ([redacted]) reached the west corner of Winchell's. He said, "I say right at the curb maybe. I'd say -- as he came -- I would say somewhere between the -- the right quart -- the right front panel (of the car) here and the curb is when I pulled out the weapon."

Deputy [redacted] said, "Well, basically, as -- he took off running in -- everything put together, at that point, I kind of realized, okay, maybe he does have a gun. So I usually chase when I'm after a suspect, I'll -- I'll have my gun just in case he tries to engage. You know I don't want to have that lag time from -- from, you know, me catching on because there's so much I have to think about. So I was chasing him and -- and -- and as I -- kind of like trying to figure out, okay, where is it? What is this guy really doing? And as he's coming around is when I saw the gun come out and then I was, like, oh, he's got a gun, you know? And then at the same time, like, seconds, not even seconds. I'd say milli-seconds prior, Sergeant Ellison said, "He's got a gun." So he probably saw it before I did because I was concerned with, okay, this guy's running. I got to step on this curb make sure I don't eat it there and, you know, where's this guy gonna go. What's over here if I have to shoot this kid or what's on this side over here. So he said, 'He's got a gun,' and that's when it brought me right back to from here to here and -- and it opened up, kind of like, because I was -- at that point, I was getting a little tunnel vision ."

Deputy [redacted] said he tod Subject [redacted] to stop running, but does not remember if he ordered him to drop the handgun. Deputy [redacted] further described Suspect [redacted] when he drew his handgun. He said, "When I first see there's an actual...it's when he...it's coming out of his...it's coming out of his, out of his pants, out of his...with his hand. It's coming up. So I see the barrel. I see the, the, the waistband of his pan, of his shorts. And I see that it's a long barrel that, that keeps coming out. And I see it's about two, two inches away from his waistband at this point. It's, it's coming out. There's, there's a gun definitely coming out. I also remember the, the grip he had, he had...'cause his hand...a little bit of the grip was sticking out. It's, it's a brown grip. And he's, he was pulling it out. And that's when I saw the gun."

Deputy [redacted] said Subject [redacted] was holding a gun in his left hand and he first thought Subject [redacted] was going to toss the gun. He said, "I see the barrel clear in his waistband, 'cause I could see his actual waistband. It cleared the waistband, and I thought to myself, he's not gonna drop this gun. Most guys in the past, they would drop, you know...I've experienced a lot of guys tossing guns at me. They just let it drop. You know, and they stop. They don't wanna, they don't want anything to do with it. He actually had a grip on the gun, at which time I continued going eastbound on Alondra Boulevard. I mean, on the sidewalk of Alondra. There is a, if I recall correctly, a blue

newspaper rack that is there. I'm running in that direction in case, you know, I'm gonna be engaged, which now at this point, I'm thinking, okay, there's gonna a, a gun fight here. This happened in a matter of seconds. He turns. He looks at me again. And, and at this time, I'm thinking, okay, you know, he's got his gun. And I saw the muzzle. I'm thinking he's not...it hasn't hit the ground yet. It's still in his hand. He turns around, and I was fearing for my life. I fired two rounds. As I hit, as I hit the, the, the, the mid, the news rack...I hit it with my hand, and I peeled my, my nail back of the, you know, my, my left thumb. And as I fired two rounds, I saw the suspect fall forward, and then he rolled on his back. I took about two steps towards him. And I told him not to move. He put his hands up. And I couldn't see the gun anymore. As I, as I took a better...as I took a better position, I saw the muzzle of his gun was under his shirt on his right side."

Deputy [redacted] said he saw Subject [redacted] turn to his left, toward him, at the same time raising the barrel of the gun. He said, "He had a grip on it, and the, the muzzle was, was originally facing down. And then it came up. It wasn't, it wasn't, it wasn't any longer facing down. It wasn't, It didn't, it didn't just drop. It came up higher, which led me to believe that he was gonna fire, fire at me. He was intending to engage me. And you know, he wanted to shoot it out. Because he didn't drop it. He had this much clearance from his waistband. He could have, it could have just dropped, and it didn't drop. I remember thinking to myself, that gun hasn't hit the ground yet. And in a split second, I, I looked past him to see who was behind, who was in front of him. There was no cars coming at the time. There's, there's a white building back there and a driveway. I remember seeing a driveway and there was nobody there. And then I, I still hadn't, hadn't heard the clink of a gun hit the ground. I didn't see him throw the gun on the ground. And as I, as I looked up, the gun wasn't...it was still in his hand. And that's when I fired the two rounds."

Deputy [redacted] said he held his gun in his right hand and used his front sight during the shooting. He said he used a blue metal newspaper rack as concealment/cover. He said, "I was, I was trying to more or less brace myself, 'cause I knew I was going towards it for, for concealment, taking concealment and coverage. However, I lost sight of where I was once I saw the gun, and now I had to...I, I lost sight of this thing when I, when I acquired the target, and the drop, the backdrop. So I was just kind of feeling my way. And that's when I impacted the....I, I, I...when I hit it, I, I first hit...this is the first part of my, my hand that collided with, with the blue metal. My nail got lifted. I have a, a small laceration in the middle of my thumb. And what they call an evulsion to my nail. So my nail got lifted from the nail bed. My left thumb. I hit that first. I don't know, I don't know what part of the box I impacted. And then I felt the actual box hit my hand. And half of it hit my body as well."

During his IAB interview Deputy [redacted] said he had previously seen the [redacted] security video of Subject [redacted] and him following him on "Youtube." Deputy [redacted] said he thought he had used the blue news paper rack as cover/concealment when he shot at Subject [redacted] However, after seeing the security video he said he fired his weapon while tracking Subject [redacted] and taking a firing stance at the edge of the curb in front of the news rack.

IAB Note: See Exhibit "D" page 2, picture #6, for a picture of Deputy [redacted] taking a combat shooting stance.

Deputy [redacted] said as quoted from his IAB transcribed interview:

Bly: And I think you told Homicide that you fired in a one-handed position?

[redacted]: Yes.

Bly: You did see the tape, though, where you were tracking him. Or following him and you were in a moving combat stance with holding with two hands. Is that the best way to describe it?

[redacted]: Right, yes.

Bly: And you also told Homicide that you made it to a kind of like a blue newspaper rack type thing.

[redacted]: Right.

Bly: Is that where you fired from?

[redacted]: No. Actually, I fired from here.

Bly: And you're looking at a black-and-white photo that I printed out so you're kind of pointing where?

[redacted]: Pointing right -- right around this area right here.

Bly: So you saw the video?

[redacted]: I did.

Bly: In the video, had -- you can't really tell you shooting in the video. Can't tell when you shot. But in that video where you ended up where you kind of hesitate a little bit and stop. Is that where you fired from?

[redacted]: Yes. Right -- right where the -- if -- in the video, which I saw, I saw the video myself. Once -- once I fired from this area right here and that's exactly where -- where kind of to get a better platform and make sure the that I don't go busting rounds somewhere else behind the kid, that's where I broke the fire from.

Bly: In the video you kind of, you're tracking the guy and then you slow down and -- and then it looks like you took a couple steps and went off the curb. So that, when you slow down, is that where you fired from?

[redacted]: Yes.

Bly: You did injure your thumb and you thought that you injured your thumb on this rack?

[redacted]: I did because all I could see as we were running, I could see this thing being huge. And I didn't -- it wasn't until I saw the picture and in the video that I saw how far away from where I actually was this thing was. The reason was being if -- I don't know if you look back in the video, I try to take -- duck behind this thing because it's where he first turns around with the gun. And then we make it this far when he turns around the second time. So this thing, to me, it -- it was humongous and -- and it actually seems like I actually hit it. And I recall hitting it, but in the video, it doesn't show that. And I have an injury and I had no idea how that happened. So the only way I could attribute it was to that because I was -- as I'm firing, I'm trying to do this because I'm thinking, okay, I'm gonna feel the -- I'm gonna feel this blue thing just smack into me right now. And because I hit this --

Bly: So you -- just for the tape, you described that you originally had both hands on the gun.

[redacted]: Right.

Bly: But then you moved your left hand under the gun.

[redacted]: Right.

Bly: To feel for something?

[redacted]: Right.

Bly: Did -- did you ever make it over this blue rack?

[redacted]: I -- I'd -- I -- might have stand in front of it maybe. I don't -- I don't -- I mean, this is coming out from -- from the video itself. My recollection is I actually impacted with it because it just felt that way. But from the video, it doesn't show that that's what happened so I don't know, you know? And then I took up a position here. I stepped back -- I took up a position here because where he fell, he fell face-down with the weapon underneath him and then he rolled over. And then I thought he still had his gun because he put his hands up and I thought the gun might have got over into this little bush to, this little area right here.

Bly: It's like a little island with some bushes on it or shrubbery. Is that what you're talking about?

[redacted]: Right.

Bly: So is it possible maybe your -- the slide hit your thumb while you were moving your hand?

[redacted]: It -- it could have been. I mean, I would have -- I would have felt more than --

Bly: Yeah.

[redacted]: -- than that if that was the case. It would have bitten a little bit harder, but I don't know.

Bly: And this is just this is your best memory and your best estimate on -- right now you're kind of unclear on how you injured your thumb, I guess.

[redacted]: Yes.

Deputy [redacted] said he continued to cover Subject [redacted] while Sergeant Ellison approached Subject [redacted] and recovered his handgun. He said, "The suspect goes to the ground. I remember him coming face first. And then he rolled. And as he rolled, he landed face first with his hands tucked underneath him. So that's when I gave him commands not to move. And he rolled to his...he rolled to his left. And put his hands...oh, he...when he rolled, his hands just came up automatically, like this, on top of his, like to his sides. I...instead of having...where I was...where I, where I last engaged him, 'cause I took two steps forward, I took two, like a few steps to the left. One, to try to see where his gun went. My, my first impression was, the weapon was over his head. Where his hands were at. So I took two steps to the left to see if I could see the gun on that side. 'Cause I knew clearly it wasn't on the, on the left side of him. Or if I'm facing him, it would be on the right. So I took two steps to my left, and...to see if I could see the gun. And I couldn't see it. Sergeant Ellison put out radio traffic of the 998. I kept giving the guy commands not to move. Sergeant Ellison came up to him, and lifted up his shirt, trying to see if he could find the gun. And he recovered the gun from the suspect, from, from...it, it appeared like it was underneath him, but he was laying or half laying on it."

Deputy [redacted] said he saw Sergeant Ellison recover Subject [redacted] handgun. He said, "It was somewhere between, between his waist and his arm pit, in the middle."

Deputy [redacted] said he did not see any blood on Subject [redacted] but could recognize he was injured. He said he could hear him breathing and they talked to him until paramedics arrived. He said, as quoted from his IAB transcribed interview:

[redacted]: I originally, I didn't. I didn't see anything so I gave him commands to stop moving. I told him to show me his hands, to stop moving, and it was at the point where I got -- I -- I was covering him and just the way he was breathing, based on my previous jobs I used to be as an EMT, I could call -- I could recognize that as --

Bly: He was --

[redacted]: -- air he was under --

Bly: -- he was in distress --

[redacted] Yes.

Bly: -- looking?

[redacted]: So it's when the radio traffic had already gone out. I put radio traffic again even though I heard it, I put it out again. We need a 902R for the suspect. I remember Sergeant Ellison say, you know, we need to get this kid get some help. And I just remembered looking at him and looking at his -- at his respiration that he was really -- so I figure, okay, he must have got hit or really scared because I really couldn't see any blood. I couldn't see any blood. And then, you know, after that, the paramedics showed up and the first units arrived and it's --

Bly: Prior to paramedics showing up, did anybody try to render aid to this guy or make him comfortable or anything --

[redacted]: We --

Bly: -- talk to him?

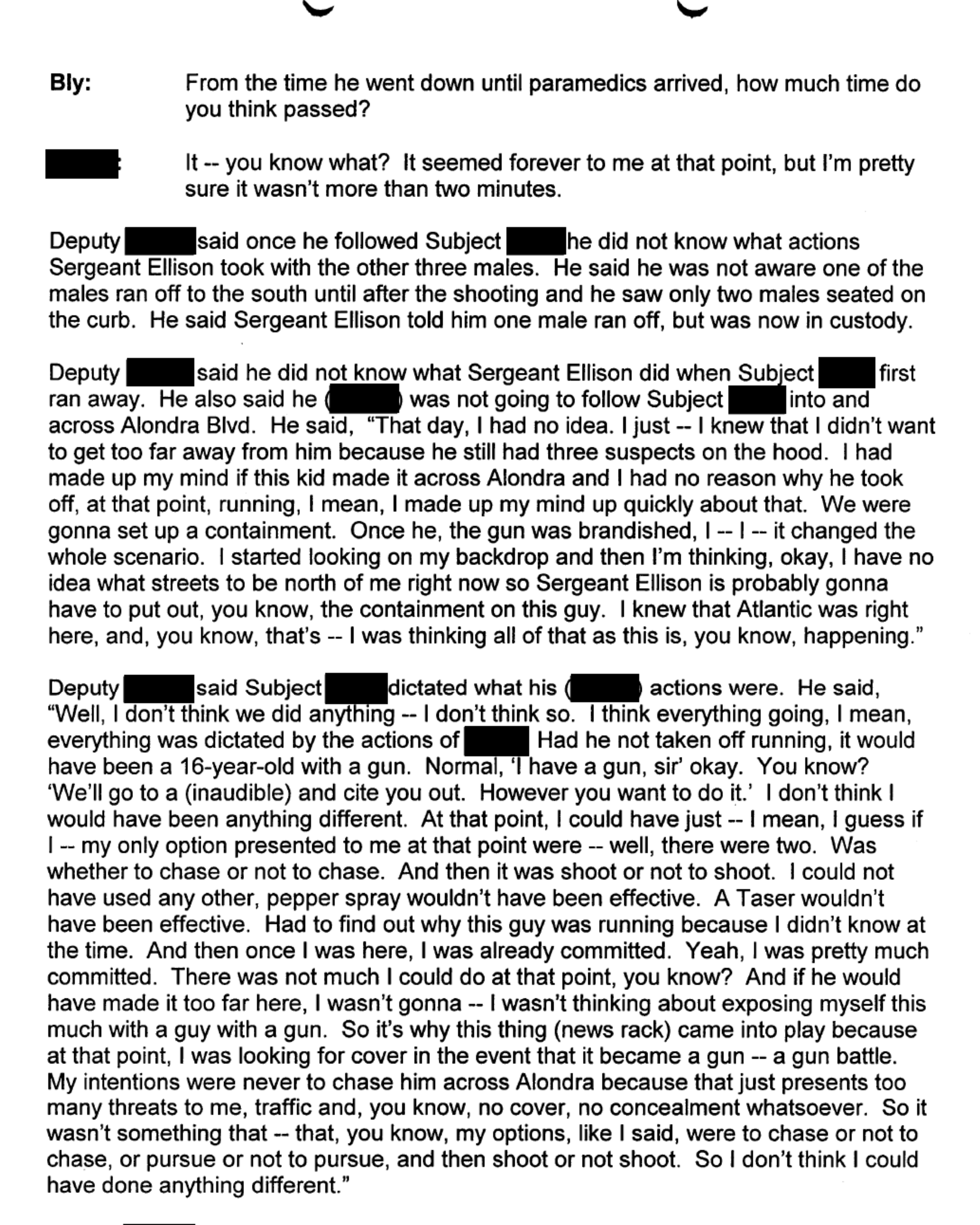
[redacted]: -- we -- we were -- we were talking to him. Sergeant Ellison was talking to him. I was -- I was talking to him and it was, like, you know, we actually told him, you know, "Just hang in there, dude," and then that was -- that was -- that was as far as I would say when, you know, he was -- he was gasping for air and, you know, we made sure that he didn't have any guns at that point and there wasn't really any, you know?

Bly: So were you just there to make sure he was still breathing and --

[redacted]: Yes.

Bly: -- and you didn't see any blood anywhere?

[redacted]: I didn't.



Bly: From the time he went down until paramedics arrived, how much time do you think passed?

[redacted]: It -- you know what? It seemed forever to me at that point, but I'm pretty sure it wasn't more than two minutes.

Deputy [redacted] said once he followed Subject [redacted] he did not know what actions Sergeant Ellison took with the other three males. He said he was not aware one of the males ran off to the south until after the shooting and he saw only two males seated on the curb. He said Sergeant Ellison told him one male ran off, but was now in custody.

Deputy [redacted] said he did not know what Sergeant Ellison did when Subject [redacted] first ran away. He also said he ([redacted]) was not going to follow Subject [redacted] into and across Alondra Blvd. He said, "That day, I had no idea. I just -- I knew that I didn't want to get too far away from him because he still had three suspects on the hood. I had made up my mind if this kid made it across Alondra and I had no reason why he took off, at that point, running, I mean, I made up my mind up quickly about that. We were gonna set up a containment. Once he, the gun was brandished, I -- I -- it changed the whole scenario. I started looking on my backdrop and then I'm thinking, okay, I have no idea what streets to be north of me right now so Sergeant Ellison is probably gonna have to put out, you know, the containment on this guy. I knew that Atlantic was right here, and, you know, that's -- I was thinking all of that as this is, you know, happening."

Deputy [redacted] said Subject [redacted] dictated what his ([redacted]) actions were. He said, "Well, I don't think we did anything -- I don't think so. I think everything going, I mean, everything was dictated by the actions of [redacted] Had he not taken off running, it would have been a 16-year-old with a gun. Normal, 'I have a gun, sir' okay. You know? 'We'll go to a (inaudible) and cite you out. However you want to do it.' I don't think I would have been anything different. At that point, I could have just -- I mean, I guess if I -- my only option presented to me at that point were -- well, there were two. Was whether to chase or not to chase. And then it was shoot or not to shoot. I could not have used any other, pepper spray wouldn't have been effective. A Taser wouldn't have been effective. Had to find out why this guy was running because I didn't know at the time. And then once I was here, I was already committed. Yeah, I was pretty much committed. There was not much I could do at that point, you know? And if he would have made it too far here, I wasn't gonna -- I wasn't thinking about exposing myself this much with a guy with a gun. So it's why this thing (news rack) came into play because at that point, I was looking for cover in the event that it became a gun -- a gun battle. My intentions were never to chase him across Alondra because that just presents too many threats to me, traffic and, you know, no cover, no concealment whatsoever. So it wasn't something that -- that, you know, my options, like I said, were to chase or not to chase, or pursue or not to pursue, and then shoot or not shoot. So I don't think I could have done anything different."

Deputy [redacted] said he was treated for his injury at "U.S. Healthworks" in the city of Compton.

IAB Note: See all three of Deputy [redacted] transcribed interviews for further information.

SWORN WITNESS STATEMENTS

Sergeant Dana Ellison, #[redacted] OSS/GET, was interviewed on July 5, 2006 by Homicide Detectives. The interview took place at Compton Station and was recorded for review. Also, present during the interview were IAB investigator Sergeant David Bly and Deputy District Attorney Renee Cartaya. The following is a summary of that interview.

Sergeant Ellison said he was working on July 5, 2009, [redacted] hours, as unit "OSS-[redacted]" He said he was the driver of an unmarked patrol vehicle. He said the vehicle had two spot lights on each side and was equipped with emergency lights and siren. He said he had a partner, Deputy [redacted] Sergeant Ellison said he has been assigned as an OSS sergeant for approximately two years and had a total of approximately 19 years experience in Operation Safe Streets/Gang Enforcement Team unit.

Sergeant Ellison said, even though, he has known Deputy [redacted] as member of OSS/GET, the day of the shooting was the first time they worked together as partners. He said Deputy [redacted] was not that familiar with the Compton area. Sergeant Ellison said, "Basically, the kid I'm working with...I'd never worked with him before. I don't... haven't really talked to him much. So I didn't really know him. But we get in the car today, and he tells me that he doesn't really work Compton too much. He pretty much, when they have us assigned, pretty much lately, for the most part, in GET Army configuration, they have us assigned either to a trailer. And the trailer is either parked over here at Gonzales Park or up at 118th and Wilmington in a vacant lot. And pretty much, we work Compton-Century areas. And he was saying that he pretty much likes to just stay in the Century area. So he was unfamiliar with Compton. So I was taking the...taking my time showing him the areas of...first we went down here to the ATF area. And then we moved over to Southside Crip area. And we'd gone through the area. We saw a few people here and there. But as we were leaving that area, and I was trying to explain all the ins and outs...I forgot to show him a couple of streets where these guys are stacked up sometimes. So I went down Poinsettia southbound from Alondra, and I showed him the two streets, Marcelle and, and Tishner. And I explained that a lot of times, they have parties deep in these cul-de-sacs here. And you come in and they usually run to the north. Ya-da-ya-da-ya-da. So...we turn around and get out of there. And we're coming northbound on Poinsettia. And I'm stopped there at Alondra and Poinsettia when I see these four juveniles walk past the front end of my radio car."

Sergeant Ellison said he observed the four juveniles and decided he wanted to contact them because they looked as though they could be gang members and because of their demeanor. He said, "They pass right in front of me. I'm the driver. [redacted] the passenger. And as I'm looking at them, I'm sizing them up and I'm going, yeah, you know, they're young, but they look like they could be gang bangers, and...but the one

thing I see is one of the dark, darker complected ones...I see his face. And I see him going like, psst, psst, out of the side of his mouth. And I can't hear what he's saying, but...and I'm also seeing that the two, and the, the two that stayed...I forget their names...but the two, the in individuals that stayed, they were looking out of the side of their eyes. They're looking at me, looking back at each other, and I'm going, they look like they're up to something. So they get past me. And I'm still thinking about them. And I'm still looking at them. And then finally I say, well, and I tell them, I go, 'hey, hey kids, come back over here and let's check for guns.' So they do. They, they stopped and they turn around. They start walking towards me. Except for the kid in the brown shirt (Subject [redacted]. The kid in the brown shirt...he takes a step or two more, and then [redacted] he...I think he had stepped out of the car by now, and standing in the, in the open door."

Sergeant Ellison said he was still seated in the driver's seat as he ordered the males, through his open window, to return to his vehicle. He said he believed he also heard Deputy [redacted] talking to Subject [redacted] (brown shirt), saying something as to, "That means you too, or something like that. I don't know."

Sergeant Ellison said he was seated in the driver's seat as he watched the males walk back to the car. He said, "I'm not out of the car. Okay. But I'm watching these kids come back. And the kid with the brown shirt...he comes right up to me. He becomes the one closest to me. And I'm almost, probably like from me to you now. Just, just like if I could, I could have probably done this (reached out motion) and touched him. So I'm sitting there, and I'm looking at him. And he comes up to the car, and he's looking straight across the hood. And he goes, and he pulls up...he takes his right hand and he rolls it up his waist. And as he does, he takes his shirt up with it, and I see that he...there's a gun, and he puts his hand on the gun. With his right hand he rolls that shirt up, pulls it up, grabs a gun, holds onto the gun for about a one count. And then he lets it (shirt) go and lets it fall back down. Well, by this time, [redacted] is coming around the car behind me. Now about as soon as he lets that hand fall off the gun, about another one count goes by, and then he starts taking off around the car."

Sergeant Ellison said the other three males ([redacted] and [redacted] who Sergeant Ellison refereed to as "yellow pants") moved directly to the hood of his car, but Subject [redacted] continued walking east, passing the hood.

Sergeant Ellison said he did not have his weapon drawn prior to or after he saw the gun in Subject [redacted] waist band. He said he was exiting the car at the same time Deputy [redacted] was making his way to the hood of the car from the rear. He said Deputy [redacted] moved from the rear of the car to the front, on the driver's side of the vehicle. He said, "So [redacted] passing me. I'm getting out of the car. And I say to [redacted], I go, 'brown shirt, brown shirt', so that he's aware to get him. Okay. And he goes. [redacted] is in front of me. I'm behind [redacted]. And I can see that the kid's looking at [redacted]. [redacted] looking at the kid. And I, I can't remember if [redacted] says something to him or not. But then the kid turns and he takes off. He goes from our car to the sidewalk in front of the Winchell's and about a couple of steps after he gets to the sidewalk, he pulls the gun out of his pants."

IAB Note: Deputy [redacted] told Homicide investigators, he heard Sergeant Ellison say, "He has a gun", but he did not know whom he was referring too.

Sergeant Ellison said he detained the other three males at the hood of his car as he watched Deputy [redacted] pursue Subject [redacted]

Sergeant Ellison said Subject [redacted] ran eastbound onto the south side sidewalk and Deputy [redacted] ran after him. He said, "He's running. He running, and he pulls the gun out. And he runs a little bit in front of the [redacted]. And [redacted] follows him. And the kid then goes out into the street in about a northeasterly direction. And the kid's running. [redacted] in a combat stance at this time, pointing his gun at the kid. The kid gets out to about the, whatever that was, the number 1 lane, and he just...he turns around. He turns, he turns with his right hand, comes around. So he faces, comes...I don't know...turns westbound. He...well, it's actually like a left turn. And he turns to the left."

Sergeant Ellison said he saw Subject [redacted] holding a gun with his right hand. He said as Subject [redacted] turned to his left, Subject [redacted] has his right arm extended out.

IAB Note: Deputy [redacted] stated Subject [redacted] was holding the gun in his left hand. Also, See Exhibit "D" for a still photo taken from the security tape from [redacted], depicting Subject [redacted] holding a gun in his left hand as he ran passed the doughnut shop. Additionally, See Exhibit "D" for a DVD containing the security video and additional still photos.

Sergeant Ellison said as Subject [redacted] was turning to face Deputy [redacted], he saw Deputy [redacted] shoot at Subject [redacted]. He said, "He's (Subject [redacted]) got gun in hand now. And he turns around. And he faces [redacted]. And he's got the gun about like, like so. It's about, yeah. At about, I don't know. You know, if this is 90...45, 60 degrees, you know. And he was in the process of moving when [redacted] shoots two times. Hits the kid. And the kid goes down."

IAB Note: The distance from the hood of car, to the reported position where Deputy [redacted] shot at Subject [redacted], is approximately 55 feet. The distance from Deputy [redacted] reported position to where Subject [redacted] fell is approximately 28 feet. The distance from the hood of the car to where Subject [redacted] Fell is approximately 80-85 feet. The distances are all approximate and were measured with a Roll-A-Tape by IAB Sergeant David Bly. Exhibit "A" page 145 "crime scene sketch" was also reviewed and used for calculation.

Sergeant [redacted] said [redacted] ran from him, south on Poinsettia, and he continued to detain the other two males. He said he placed the two males on their knees at the hood of the car on the driver's side of the vehicle and he transmitted a 998 broadcast. He said he moved the two males to the southwest corner of Poinsettia and Alondra Blvd and had them sit on the curb as he moved toward Subject [redacted]

Sergeant Ellison said, "He immediately..the kid in the yellow pants, he runs down the street on me. The...I tell the other two to just get down. And [redacted] stays on...keeps, keeps the kid covered. And as the kid falls down, I see the guy's arms go whoosh! Up over his head. I can see that his fingers start curling. And he's making this noise like, ugh-ugh. So I'm trying to do a few things, you know. Put out the radio traffic. Keep an eye on yellow pants that's running down the street. Keep an eye on [redacted]. Keep an eye on these two kids. But I go out to the street, see if I can render aid to the Subject. I go up there on my...I don't see any bullets in his chest area. But I can see he's in real bad shape. I roll him over. See if there's a wound on the back or something. I don't see...again, I don't see anything. No, no blood. But there's the gun underneath him. So I recover the gun. And I put him back down. Yeah. And I put out, you know, when I did, I, I put out that we had a officer-involved shooting, and kid down. Need a rescue. Had a kid running. And I'm not sure what else I put out there. I haven't listened to it, so I don't know exactly what else I said."

Sergeant Ellison said he recovered a gun from Subject [redacted] He said, "It's on the asphalt. On the street underneath his back. Lower back. I would say that it was more on his right side back, lower right back area. Right in there. So I, I retrieve the gun. I took it back to the car. I threw it in the trunk. Slam it down."

Sergeant Ellison said Deputy [redacted] positioned himself in front of [redacted] when he fired his weapon. He said, "[redacted] was approximately in the front of the [redacted], right there. I mean, [redacted] tracked the kid basically in a combat stance. Did a pretty good job of it, I think. He, he moved across the front of the [redacted] in a combat stance and had the kid....Basically, you know, a triangular position. And was following the kid. And I'm not sure if [redacted] said anything to him at, right before the shooting or not. You know, I couldn't hear him. He may have said something. I don't know. And you know, he hit...he did a double tap, and the kid went down, and like I said, I...based on what I was seeing from the kid and the noise he was making, you know, I just went over there to see if I could do something for him."

Sergeant Ellison said paramedics arrived at the scene and treated Subject [redacted]. He said, "Yes. And you know, they did, they did their thing. Exactly what all they did, I don't know, you know, but they, they put him on a gurney, and took him away."

Sergeant Ellison said he observed Deputy [redacted] as he pursued Subject [redacted] and shot at him. He said, as quoted from his transcribed interview:

Cochran: Now if you never lost sight of, of [redacted] at any point during this?

Ellison: I don't believe so. You know, maybe for a split second. But I don't think so.

Cochran: Okay.

Ellison: You know, it was...you gotta realize though, I did have to look down the street at yellow pants that was running down there, so....

Cochran: So you're, you're splitting your attention?

Ellison: Yeah. Now...but I don't think yellow pants ran away until after the shot.

Sergeant Ellison further described the four male's demeanor and why he detained them. He said, "No, it wasn't him (Subject [redacted]). It wasn't him. It was one of the other two. I think the one in the blue shirt. He was talking. It was one of the dark complected kids. I remember brown shirt, he had a very stoic look on his face, like you know, like, 'oh, shit.' Kind of a look. But he wasn't the one that was doing the eyes or the move, talking of the mouth. It was one of the other ones. Brown shirt, he's just kind of like trying to be focused and look straight ahead, and, and not, not turn his head or anything. You know. I know it's, it's kind of difficult to explain. But you know, it's, it's stuff that you learn as a police officer out in the streets, you know. To look for movement. Sometimes movement can be very obvious. Like the guy just break and run and pull a gun out of his pants and throw it, you know. Or sometimes it can be very subtle. You know. And subtle facial movements, like they were making. It's an indicator, you know. It could be nothing. It could have been that they might have had a bag of weed. It could have been, you know, I'm a runaway, you know. But you don't know. You know. But it, it's usually movement of some sort as an indicator of guilt, whether it's, you know, very obvious or subtle. But the subtle face, facial movements that the kids were making, it did indicate that something was going on there. They did look like gang bangers to me. So I thought, well, you know, we are the Gang Enforcement Team, and one of our duties is to, you know, check on these kids and, you know, see if they're doing...They were looking at basically the, the direction of the car and each other. It was like, oh, shit, it's the cops. That's how I, I took it."

Sergaent Ellison said he saw Deputy [redacted] had injured his thumb. He said, "After the shooting, I saw that he kept flicking his thumb. He injured his thumb. I asked him how he did it. He said that when he was trying to take cover, he must have injured it on the newspaper machine or something. I don't you know. The other thing he said to me, and he said that he saw the gun from wherever he was when he was moving around the side of the car too. So other than that, that's really, you know, I just asked him, poor fellow, you know, are you okay. Other than that, you know, how you doing? Blah-blah-blah. Actually, I know it's...I, I think all in all, he did a pretty good job. Actually, he, he seemed pretty, pretty professional and, you know, I didn't, you know, I have to give him his props for, you know, a guy like, gets involved in a shooting, you know, he might be all over the place. But he, he was, stayed on course. Stayed, kept cover. He didn't allow his attention to be diverted anywhere. You know, when I approached the kid to see if I could render some aid, he also approached, you know. I, I don't...I don't have any problem with anything I saw him do. You know, it's a tough call, that he was, you know, when you, you got a guy spinning around with a gun in your hand, and that, the way it was going and how he was moving, you know...a nano second later, who knows?"

Sergeant Ellison further described when he first saw Subject [redacted] with the handgun. He said, as quoted from his transcribed interview:

Cochran: I, I do have one more question. You had mentioned at one point that you would have shot yourself.

Ellison: I don't know if I said that. I said it's, it's...that's a tough call for that, that guy to be [redacted]. You know. You don't know. Do you hold? Do you hold for that last nano second, or do you just, you know, do you shoot? Now you know, in this GET configuration and, and this stuff, you know, they expect us to go out and talk to these guys and deal with these guys and getting guns off these guys is, is a way of...it's just part of our job description really. May not be in a big book somewhere, but that's basically, you know, they...every week they wanna know how many arrests we're making, how many guns we're seizing. So you know, basically here we are in Compton and, you know, lots of gang bangers. Lots of shooting. And you know, there's lots of gun activity out here. But you know, I can't sit here and say would I or wouldn't I. I don't know. That's a real tough one to call, 'cause that gun is coming around on him, and....

Cochran: Really. And I wanna stand corrected. You never did say that you would have shot yourself. But I think what you did say is, you thought about pulling your, your own weapon.

Ellison: Oh, well, that was...I had, when I was...what I meant by that is, when we were coming out, I had gun on my hand, and I was getting ready 'cause we have confirmed guy's standing right there with gun. And I'm thinking...but I've got all these other kids here. I've got [redacted] moving. You know, I'm moving myself. And basically, you know, I probably should have been pointing my gun at the guy right then and there. But you know, this is another bang up. I don't know. I would...I get guys with guns all the time, and you know, I get them without incident. And you know, maybe the, that foolishly, I was too complacent. I don't know.

Cochran: Okay. You have any other?

Blagg: I have just one other quick question. Guy in brown shirt. Originally you said that he was standing closest to you within arms' reach.

Ellison: Yeah.

Blagg: Is that accurate?

Ellison: Yeah.

Blagg: And did he start moving as [redacted] came out and started walking towards him?

Ellison: I don't know. You know, because I'm, I'm looking at him, and I know that [redacted] is, is moving. Now exactly where [redacted] is, I don't know.

Blagg: But [redacted] had gotten out of the car?

Ellison: Yeah.

Blagg: Okay.

Ellison: Okay. And I'm, I'm looking, because you know, if you're showing me that you got a gun, I'm looking at you.

Blagg: Right. Did it seem like this guy in brown shirt was moving? If [redacted]...if you know [redacted] out, but you're not sure if he's walking around, did it seem to you like the guy was trying to gain, say, maybe a position of advantage, or to get away from a Deputy that's walking towards him? Did it seem like he was trying to walk away from a potential Deputy?

Ellison: I, I would say in, in retrospect, that's exactly what he was doing. You know, I mean, he could have...he had me dead to rights if he had pulled that gun. And I, you know, he would have had the drop on me, and if he would have start plugging me, because I was still sitting in the fat, dumb and happy in the driver's seat. So I could have been toast. But it did look like, to me, he, he put his hand on that gun. He thought about whatever he thought about. Whether it was to go for it or to run down the street and hold the gun in his pants or to throw it underneath the car. I don't know. But you know, he then...he only stayed there...he only had his hand on that gun for an instant, you know, for maybe to say, one thousand one, and then he was off again. And then he stayed, stayed there for about one thousand one, and then he was moving. Moved around the front of the car. So....

Cochran: Was he told to go around to the other side of the car?

Ellison: No.

Cochran: That was something he did on his own?

Ellison: Yeah. And after, after [redacted] said whatever he said to him, like you know, this is, 'that means you too' or something, nobody ever said anything else to him. He came. Nobody put their hands on him. And it wasn't until, you know, he did all the lifting the shirt, grabbing the gun on his own volition. Nobody said anything to him. And, and like I said, he did all the...he did the movement himself around the car, you know. I did call him, did call him over initially, but that was the last thing I said to him.

Cochran: Okay.

Blagg: That's it.

IAB Note: See Sergeant Ellison's transcribed interview for further information.

CIVILIAN STATEMENTS

[redacted] **17 years old,** was interviewed on July 5, 2009 at 2001 hours by Homicide Detectives Jeff Cochran and Steve Blagg. The interview took place at Compton Station and was recorded for review. Also, present during the interview were IAB investigator Sergeant David Bly and Deputy District Attorney Renee Cartaya. The following is a summary of that interview.

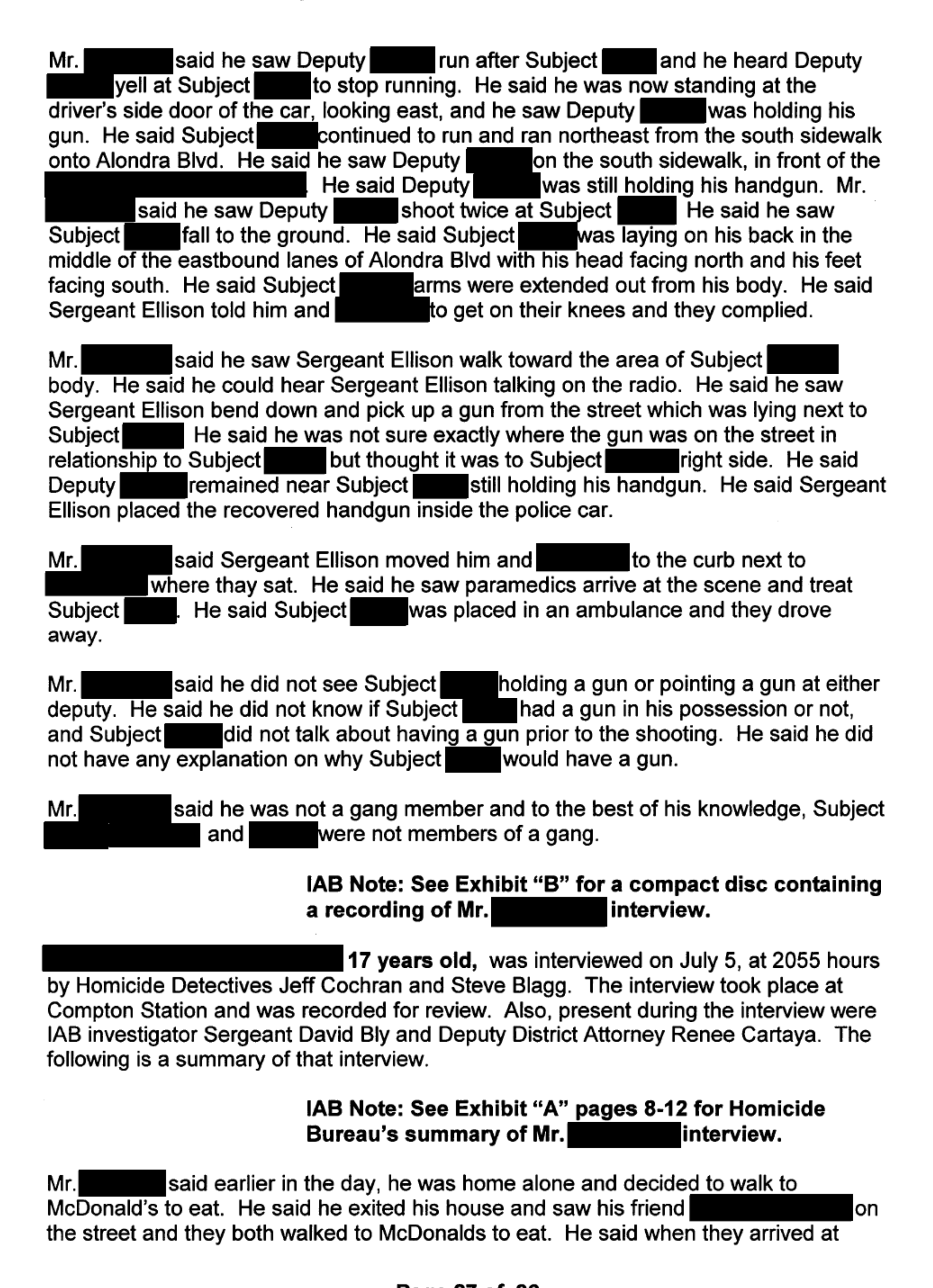
IAB Note: See Exhibit "A" pages 5-8 for Homicide Bureau's summary of Mr. [redacted] interview.

Mr. [redacted] said he was 17 years old. He said earlier that day, in the afternoon, he was with two friends, [redacted] and [redacted] He said he has known [redacted] and [redacted] since attending middle school together. He said all three of them met at [redacted] house located on Mayo Avenue. He said, subsequently, the three of them walked to the McDonalds restaurant located at Long Beach Blvd and Alondra Blvd to eat. He said he saw Subject [redacted] at McDonalds and they all ate at the restaurant.

Mr. [redacted] said after they ate, all four of them planned to walk back to Terrence's house. He said they walked westbound on the south sidewalk of Alondra Blvd. As they approached Poinsettia Ave., Mr. [redacted] said he saw a police car driving north on Poinsettia. He said the police car stopped at the stop light at Alondra Blvd. He said the windows of the car were rolled down and he saw uniformed deputy sheriffs inside the vehicle. He said they continued walking westbound crossing the intersection, walking in front of the police car.

Mr. [redacted] said the driver of the car (Sergeant Ellison) asked them to walk toward and stop at the patrol car. He said he walked to the hood of the police car on the driver's side and stopped. He said Subject [redacted] and [redacted] were to his left and [redacted] was to his right. He said Sergeant Ellison asked them to lift up their shirts and they all complied, lifting their shirts. He said he saw Subject [redacted] had lifted his shirt up and he saw Subject's exposed stomach. He said he did not see any objects in Subject [redacted] waistband. He said he saw the passenger deputy (Deputy [redacted] exit the car and walk toward the driver's side of the vehicle.

Mr. [redacted] said as Deputy [redacted] was walking around the car to the driver's side, he [redacted] saw Subject [redacted] run away eastbound on Alondra Blvd. He said Sergeant Ellison detained him and [redacted] and he saw [redacted] walk away southbound on Poinsettia Ave.



Mr. [redacted] said he saw Deputy [redacted] run after Subject [redacted] and he heard Deputy [redacted] yell at Subject [redacted] to stop running. He said he was now standing at the driver's side door of the car, looking east, and he saw Deputy [redacted] was holding his gun. He said Subject [redacted] continued to run and ran northeast from the south sidewalk onto Alondra Blvd. He said he saw Deputy [redacted] on the south sidewalk, in front of the [redacted]. He said Deputy [redacted] was still holding his handgun. Mr. [redacted] said he saw Deputy [redacted] shoot twice at Subject [redacted]. He said he saw Subject [redacted] fall to the ground. He said Subject [redacted] was laying on his back in the middle of the eastbound lanes of Alondra Blvd with his head facing north and his feet facing south. He said Subject [redacted] arms were extended out from his body. He said Sergeant Ellison told him and [redacted] to get on their knees and they complied.

Mr. [redacted] said he saw Sergeant Ellison walk toward the area of Subject [redacted] body. He said he could hear Sergeant Ellison talking on the radio. He said he saw Sergeant Ellison bend down and pick up a gun from the street which was lying next to Subject [redacted]. He said he was not sure exactly where the gun was on the street in relationship to Subject [redacted] but thought it was to Subject [redacted] right side. He said Deputy [redacted] remained near Subject [redacted] still holding his handgun. He said Sergeant Ellison placed the recovered handgun inside the police car.

Mr. [redacted] said Sergeant Ellison moved him and [redacted] to the curb next to [redacted] where thay sat. He said he saw paramedics arrive at the scene and treat Subject [redacted]. He said Subject [redacted] was placed in an ambulance and they drove away.

Mr. [redacted] said he did not see Subject [redacted] holding a gun or pointing a gun at either deputy. He said he did not know if Subject [redacted] had a gun in his possession or not, and Subject [redacted] did not talk about having a gun prior to the shooting. He said he did not have any explanation on why Subject [redacted] would have a gun.

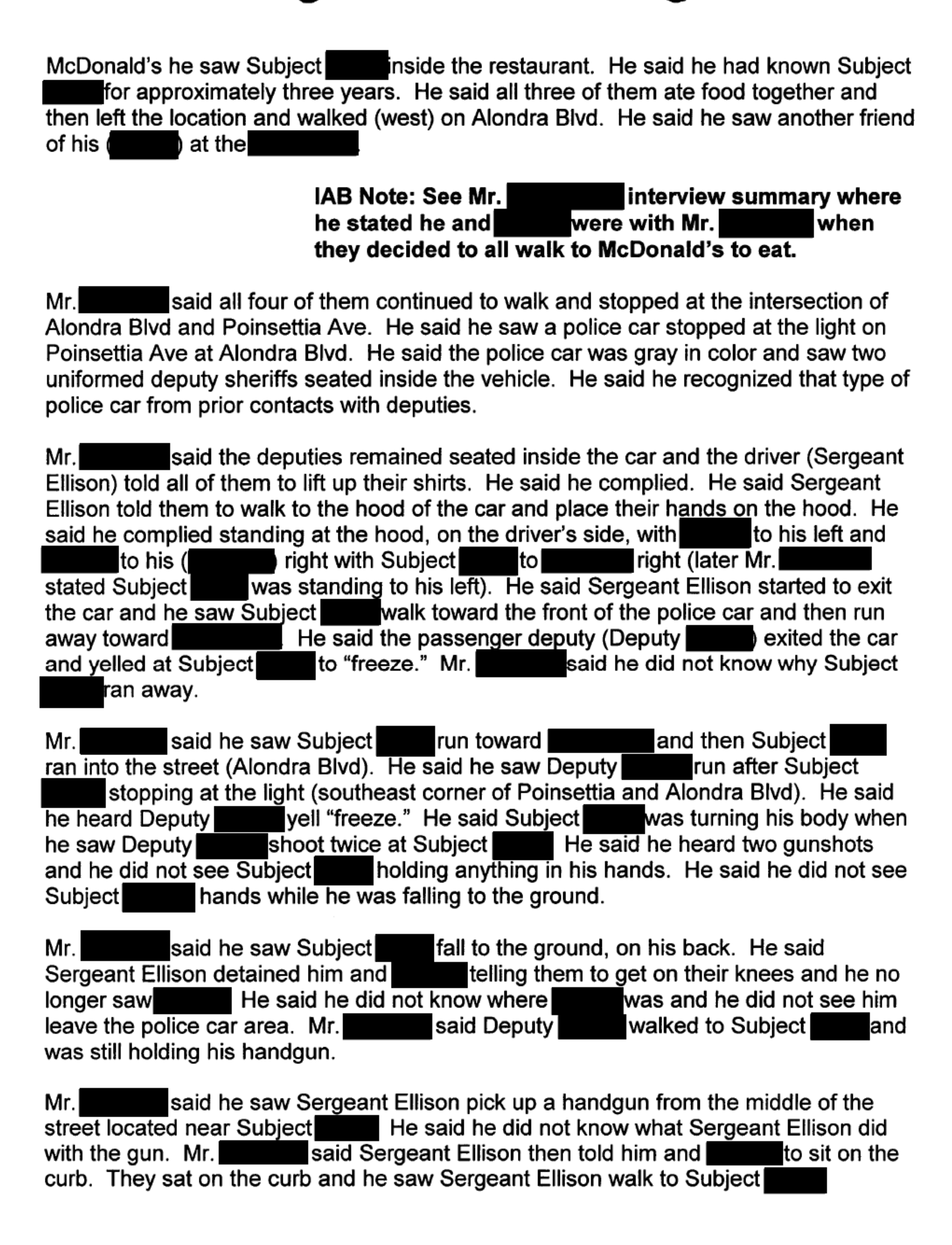
Mr. [redacted] said he was not a gang member and to the best of his knowledge, Subject [redacted] and [redacted] were not members of a gang.

IAB Note: See Exhibit "B" for a compact disc containing a recording of Mr. [redacted] interview.

[redacted] **17 years old,** was interviewed on July 5, at 2055 hours by Homicide Detectives Jeff Cochran and Steve Blagg. The interview took place at Compton Station and was recorded for review. Also, present during the interview were IAB investigator Sergeant David Bly and Deputy District Attorney Renee Cartaya. The following is a summary of that interview.

IAB Note: See Exhibit "A" pages 8-12 for Homicide Bureau's summary of Mr. [redacted] interview.

Mr. [redacted] said earlier in the day, he was home alone and decided to walk to McDonald's to eat. He said he exited his house and saw his friend [redacted] on the street and they both walked to McDonalds to eat. He said when they arrived at



McDonald's he saw Subject [redacted] inside the restaurant. He said he had known Subject [redacted] for approximately three years. He said all three of them ate food together and then left the location and walked (west) on Alondra Blvd. He said he saw another friend of his ([redacted]) at the [redacted].

> **IAB Note: See Mr. [redacted] interview summary where he stated he and [redacted] were with Mr. [redacted] when they decided to all walk to McDonald's to eat.**

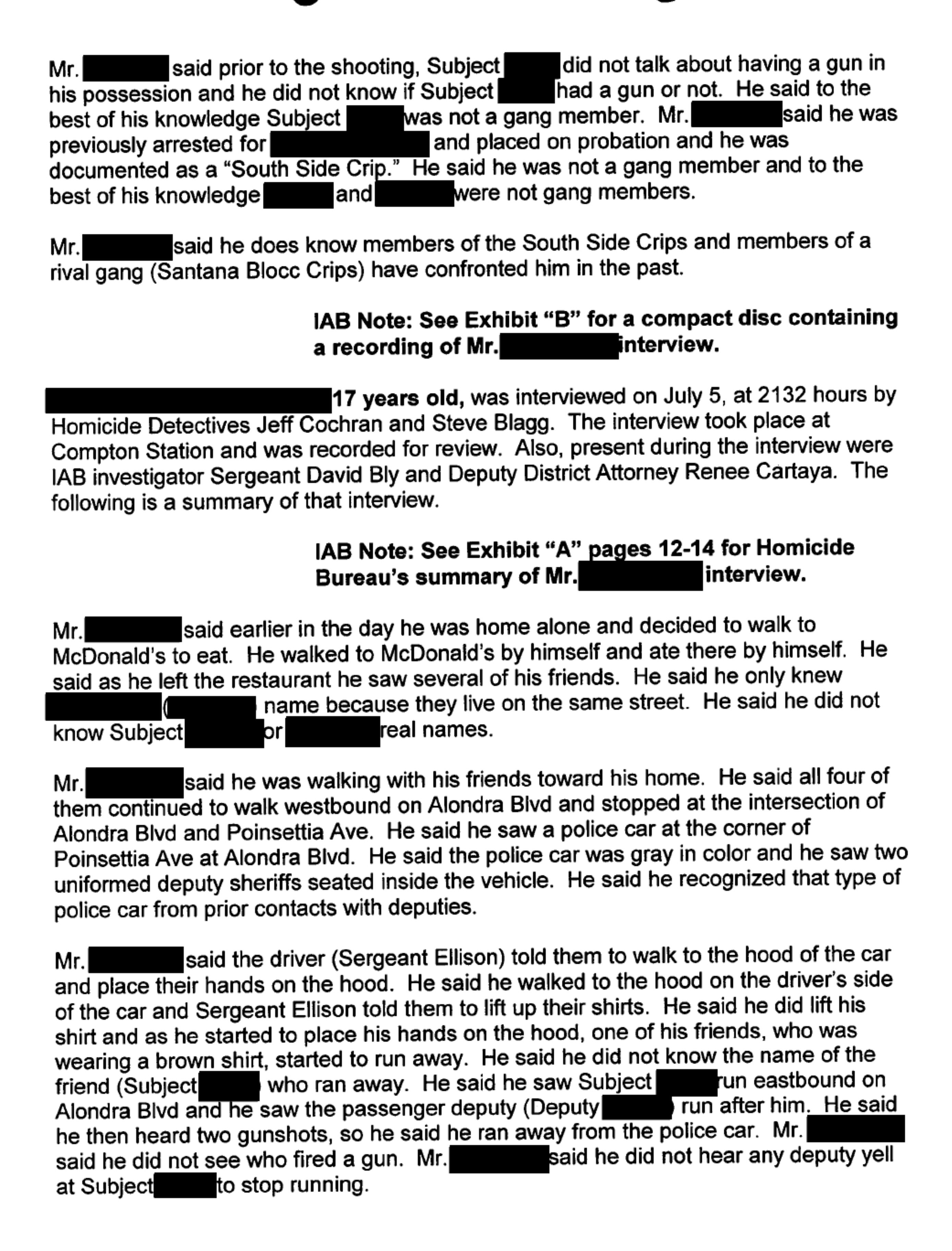
Mr. [redacted] said all four of them continued to walk and stopped at the intersection of Alondra Blvd and Poinsettia Ave. He said he saw a police car stopped at the light on Poinsettia Ave at Alondra Blvd. He said the police car was gray in color and saw two uniformed deputy sheriffs seated inside the vehicle. He said he recognized that type of police car from prior contacts with deputies.

Mr. [redacted] said the deputies remained seated inside the car and the driver (Sergeant Ellison) told all of them to lift up their shirts. He said he complied. He said Sergeant Ellison told them to walk to the hood of the car and place their hands on the hood. He said he complied standing at the hood, on the driver's side, with [redacted] to his left and [redacted] to his ([redacted]) right with Subject [redacted] to [redacted] right (later Mr. [redacted] stated Subject [redacted] was standing to his left). He said Sergeant Ellison started to exit the car and he saw Subject [redacted] walk toward the front of the police car and then run away toward [redacted]. He said the passenger deputy (Deputy [redacted]) exited the car and yelled at Subject [redacted] to "freeze." Mr. [redacted] said he did not know why Subject [redacted] ran away.

Mr. [redacted] said he saw Subject [redacted] run toward [redacted] and then Subject [redacted] ran into the street (Alondra Blvd). He said he saw Deputy [redacted] run after Subject [redacted] stopping at the light (southeast corner of Poinsettia and Alondra Blvd). He said he heard Deputy [redacted] yell "freeze." He said Subject [redacted] was turning his body when he saw Deputy [redacted] shoot twice at Subject [redacted]. He said he heard two gunshots and he did not see Subject [redacted] holding anything in his hands. He said he did not see Subject [redacted] hands while he was falling to the ground.

Mr. [redacted] said he saw Subject [redacted] fall to the ground, on his back. He said Sergeant Ellison detained him and [redacted] telling them to get on their knees and he no longer saw [redacted]. He said he did not know where [redacted] was and he did not see him leave the police car area. Mr. [redacted] said Deputy [redacted] walked to Subject [redacted] and was still holding his handgun.

Mr. [redacted] said he saw Sergeant Ellison pick up a handgun from the middle of the street located near Subject [redacted]. He said he did not know what Sergeant Ellison did with the gun. Mr. [redacted] said Sergeant Ellison then told him and [redacted] to sit on the curb. They sat on the curb and he saw Sergeant Ellison walk to Subject [redacted]



Mr. [redacted] said prior to the shooting, Subject [redacted] did not talk about having a gun in his possession and he did not know if Subject [redacted] had a gun or not. He said to the best of his knowledge Subject [redacted] was not a gang member. Mr. [redacted] said he was previously arrested for [redacted] and placed on probation and he was documented as a "South Side Crip." He said he was not a gang member and to the best of his knowledge [redacted] and [redacted] were not gang members.

Mr. [redacted] said he does know members of the South Side Crips and members of a rival gang (Santana Blocc Crips) have confronted him in the past.

IAB Note: See Exhibit "B" for a compact disc containing a recording of Mr. [redacted] interview.

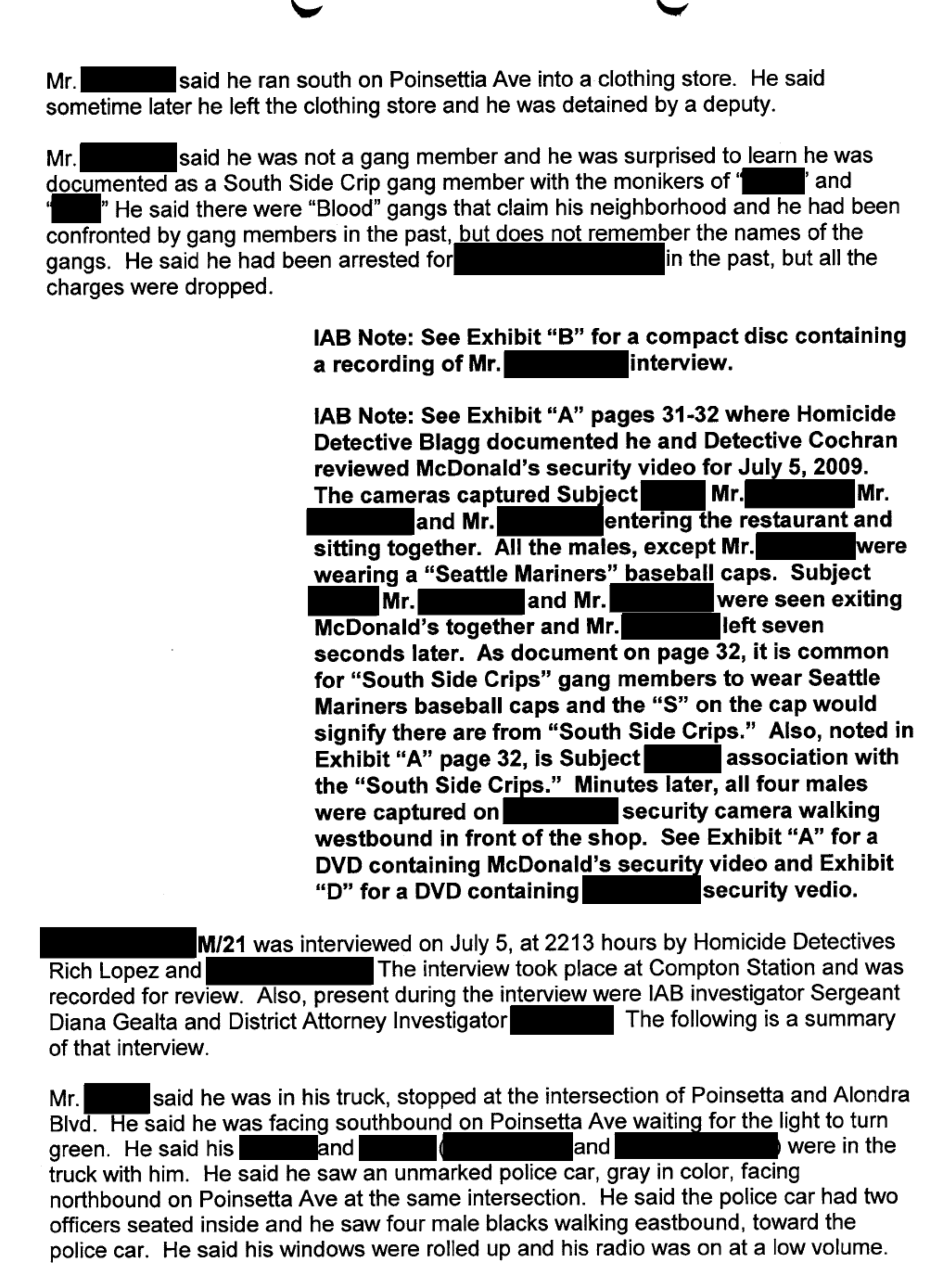
[redacted] **17 years old,** was interviewed on July 5, at 2132 hours by Homicide Detectives Jeff Cochran and Steve Blagg. The interview took place at Compton Station and was recorded for review. Also, present during the interview were IAB investigator Sergeant David Bly and Deputy District Attorney Renee Cartaya. The following is a summary of that interview.

IAB Note: See Exhibit "A" pages 12-14 for Homicide Bureau's summary of Mr. [redacted] interview.

Mr. [redacted] said earlier in the day he was home alone and decided to walk to McDonald's to eat. He walked to McDonald's by himself and ate there by himself. He said as he left the restaurant he saw several of his friends. He said he only knew [redacted] ([redacted] name because they live on the same street. He said he did not know Subject [redacted] or [redacted] real names.

Mr. [redacted] said he was walking with his friends toward his home. He said all four of them continued to walk westbound on Alondra Blvd and stopped at the intersection of Alondra Blvd and Poinsettia Ave. He said he saw a police car at the corner of Poinsettia Ave at Alondra Blvd. He said the police car was gray in color and he saw two uniformed deputy sheriffs seated inside the vehicle. He said he recognized that type of police car from prior contacts with deputies.

Mr. [redacted] said the driver (Sergeant Ellison) told them to walk to the hood of the car and place their hands on the hood. He said he walked to the hood on the driver's side of the car and Sergeant Ellison told them to lift up their shirts. He said he did lift his shirt and as he started to place his hands on the hood, one of his friends, who was wearing a brown shirt, started to run away. He said he did not know the name of the friend (Subject [redacted] who ran away. He said he saw Subject [redacted] run eastbound on Alondra Blvd and he saw the passenger deputy (Deputy [redacted] run after him. He said he then heard two gunshots, so he said he ran away from the police car. Mr. [redacted] said he did not see who fired a gun. Mr. [redacted] said he did not hear any deputy yell at Subject [redacted] to stop running.



Mr. [redacted] said he ran south on Poinsettia Ave into a clothing store. He said sometime later he left the clothing store and he was detained by a deputy.

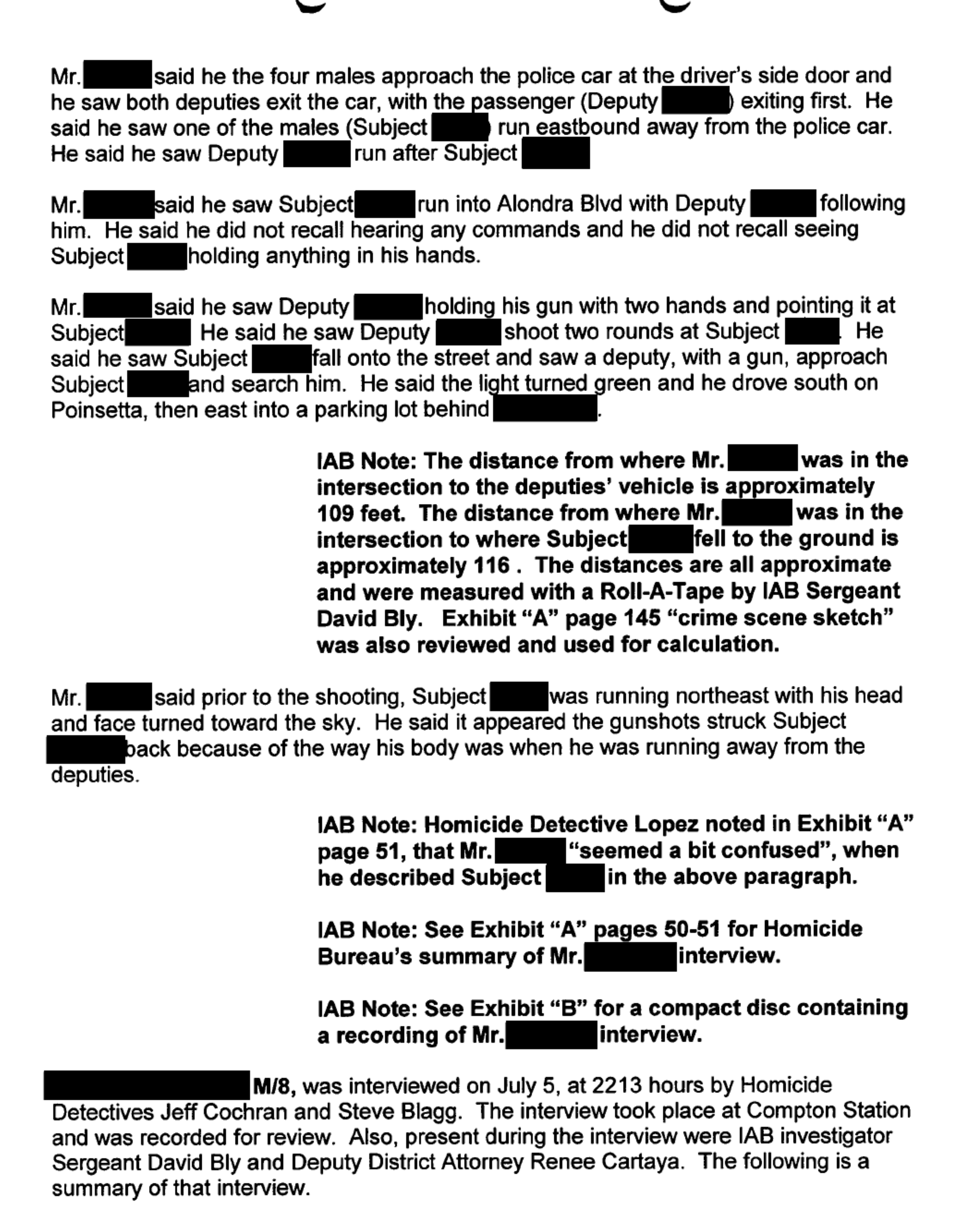
Mr. [redacted] said he was not a gang member and he was surprised to learn he was documented as a South Side Crip gang member with the monikers of "[redacted]" and "[redacted]" He said there were "Blood" gangs that claim his neighborhood and he had been confronted by gang members in the past, but does not remember the names of the gangs. He said he had been arrested for [redacted] in the past, but all the charges were dropped.

IAB Note: See Exhibit "B" for a compact disc containing a recording of Mr. [redacted] interview.

IAB Note: See Exhibit "A" pages 31-32 where Homicide Detective Blagg documented he and Detective Cochran reviewed McDonald's security video for July 5, 2009. The cameras captured Subject [redacted] Mr. [redacted] Mr. [redacted] and Mr. [redacted] entering the restaurant and sitting together. All the males, except Mr. [redacted] were wearing a "Seattle Mariners" baseball caps. Subject [redacted] Mr. [redacted] and Mr. [redacted] were seen exiting McDonald's together and Mr. [redacted] left seven seconds later. As document on page 32, it is common for "South Side Crips" gang members to wear Seattle Mariners baseball caps and the "S" on the cap would signify there are from "South Side Crips." Also, noted in Exhibit "A" page 32, is Subject [redacted] association with the "South Side Crips." Minutes later, all four males were captured on [redacted] security camera walking westbound in front of the shop. See Exhibit "A" for a DVD containing McDonald's security video and Exhibit "D" for a DVD containing [redacted] security vedio.

[redacted] **M/21** was interviewed on July 5, at 2213 hours by Homicide Detectives Rich Lopez and [redacted] The interview took place at Compton Station and was recorded for review. Also, present during the interview were IAB investigator Sergeant Diana Gealta and District Attorney Investigator [redacted] The following is a summary of that interview.

Mr. [redacted] said he was in his truck, stopped at the intersection of Poinsetta and Alondra Blvd. He said he was facing southbound on Poinsetta Ave waiting for the light to turn green. He said his [redacted] and [redacted] ([redacted] and [redacted]) were in the truck with him. He said he saw an unmarked police car, gray in color, facing northbound on Poinsetta Ave at the same intersection. He said the police car had two officers seated inside and he saw four male blacks walking eastbound, toward the police car. He said his windows were rolled up and his radio was on at a low volume.



Mr. [redacted] said he the four males approach the police car at the driver's side door and he saw both deputies exit the car, with the passenger (Deputy [redacted]) exiting first. He said he saw one of the males (Subject [redacted]) run eastbound away from the police car. He said he saw Deputy [redacted] run after Subject [redacted]

Mr. [redacted] said he saw Subject [redacted] run into Alondra Blvd with Deputy [redacted] following him. He said he did not recall hearing any commands and he did not recall seeing Subject [redacted] holding anything in his hands.

Mr. [redacted] said he saw Deputy [redacted] holding his gun with two hands and pointing it at Subject [redacted] He said he saw Deputy [redacted] shoot two rounds at Subject [redacted]. He said he saw Subject [redacted] fall onto the street and saw a deputy, with a gun, approach Subject [redacted] and search him. He said the light turned green and he drove south on Poinsetta, then east into a parking lot behind [redacted].

> **IAB Note: The distance from where Mr. [redacted] was in the intersection to the deputies' vehicle is approximately 109 feet. The distance from where Mr. [redacted] was in the intersection to where Subject [redacted] fell to the ground is approximately 116 . The distances are all approximate and were measured with a Roll-A-Tape by IAB Sergeant David Bly. Exhibit "A" page 145 "crime scene sketch" was also reviewed and used for calculation.**

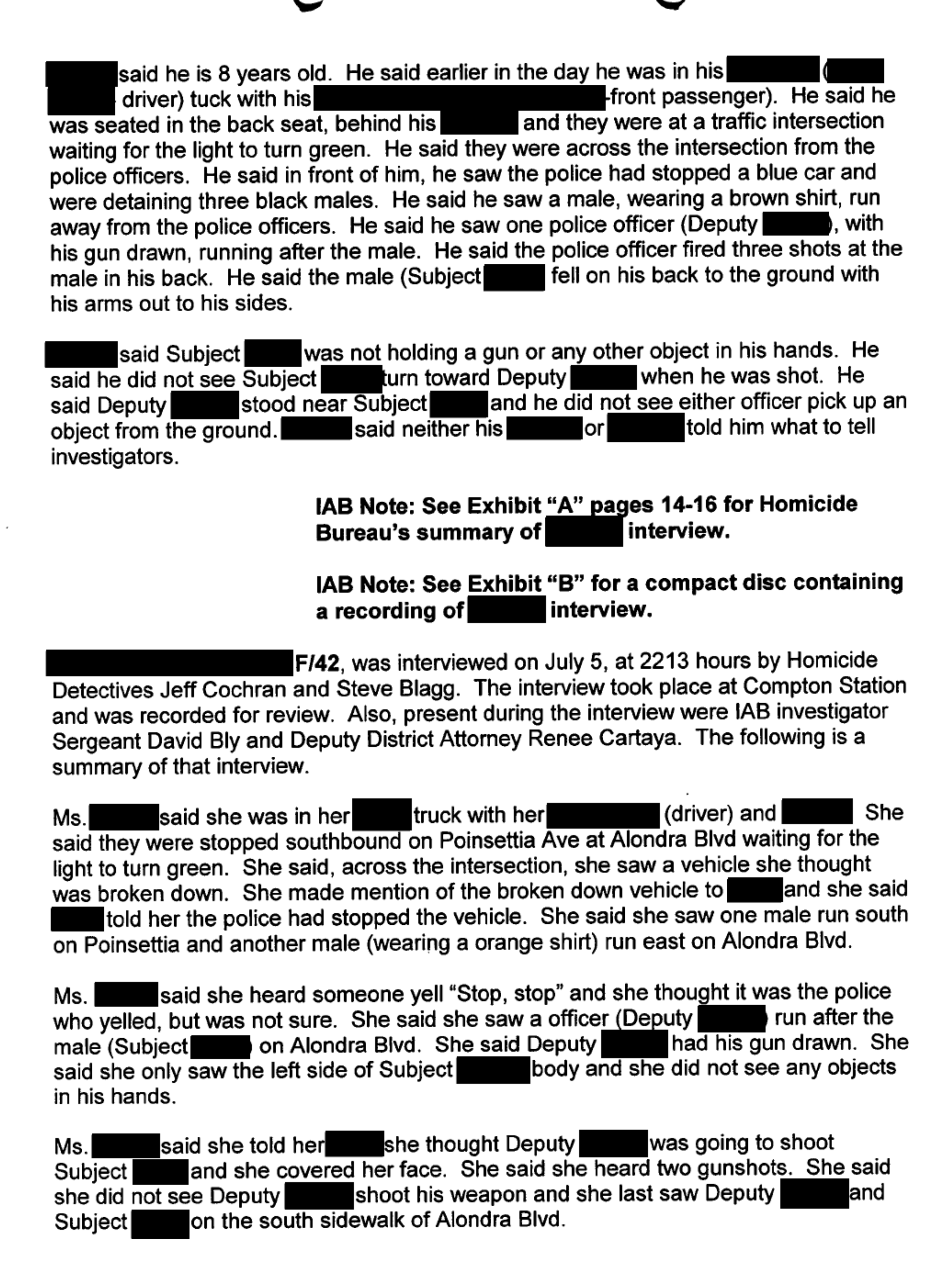
Mr. [redacted] said prior to the shooting, Subject [redacted] was running northeast with his head and face turned toward the sky. He said it appeared the gunshots struck Subject [redacted] back because of the way his body was when he was running away from the deputies.

> **IAB Note: Homicide Detective Lopez noted in Exhibit "A" page 51, that Mr. [redacted] "seemed a bit confused", when he described Subject [redacted] in the above paragraph.**

> **IAB Note: See Exhibit "A" pages 50-51 for Homicide Bureau's summary of Mr. [redacted] interview.**

> **IAB Note: See Exhibit "B" for a compact disc containing a recording of Mr. [redacted] interview.**

[redacted] **M/8,** was interviewed on July 5, at 2213 hours by Homicide Detectives Jeff Cochran and Steve Blagg. The interview took place at Compton Station and was recorded for review. Also, present during the interview were IAB investigator Sergeant David Bly and Deputy District Attorney Renee Cartaya. The following is a summary of that interview.



[redacted] said he is 8 years old. He said earlier in the day he was in his [redacted] ([redacted] driver) tuck with his [redacted]-front passenger). He said he was seated in the back seat, behind his [redacted] and they were at a traffic intersection waiting for the light to turn green. He said they were across the intersection from the police officers. He said in front of him, he saw the police had stopped a blue car and were detaining three black males. He said he saw a male, wearing a brown shirt, run away from the police officers. He said he saw one police officer (Deputy [redacted]), with his gun drawn, running after the male. He said the police officer fired three shots at the male in his back. He said the male (Subject [redacted] fell on his back to the ground with his arms out to his sides.

[redacted] said Subject [redacted] was not holding a gun or any other object in his hands. He said he did not see Subject [redacted] turn toward Deputy [redacted] when he was shot. He said Deputy [redacted] stood near Subject [redacted] and he did not see either officer pick up an object from the ground. [redacted] said neither his [redacted] or [redacted] told him what to tell investigators.

IAB Note: See Exhibit "A" pages 14-16 for Homicide Bureau's summary of [redacted] interview.

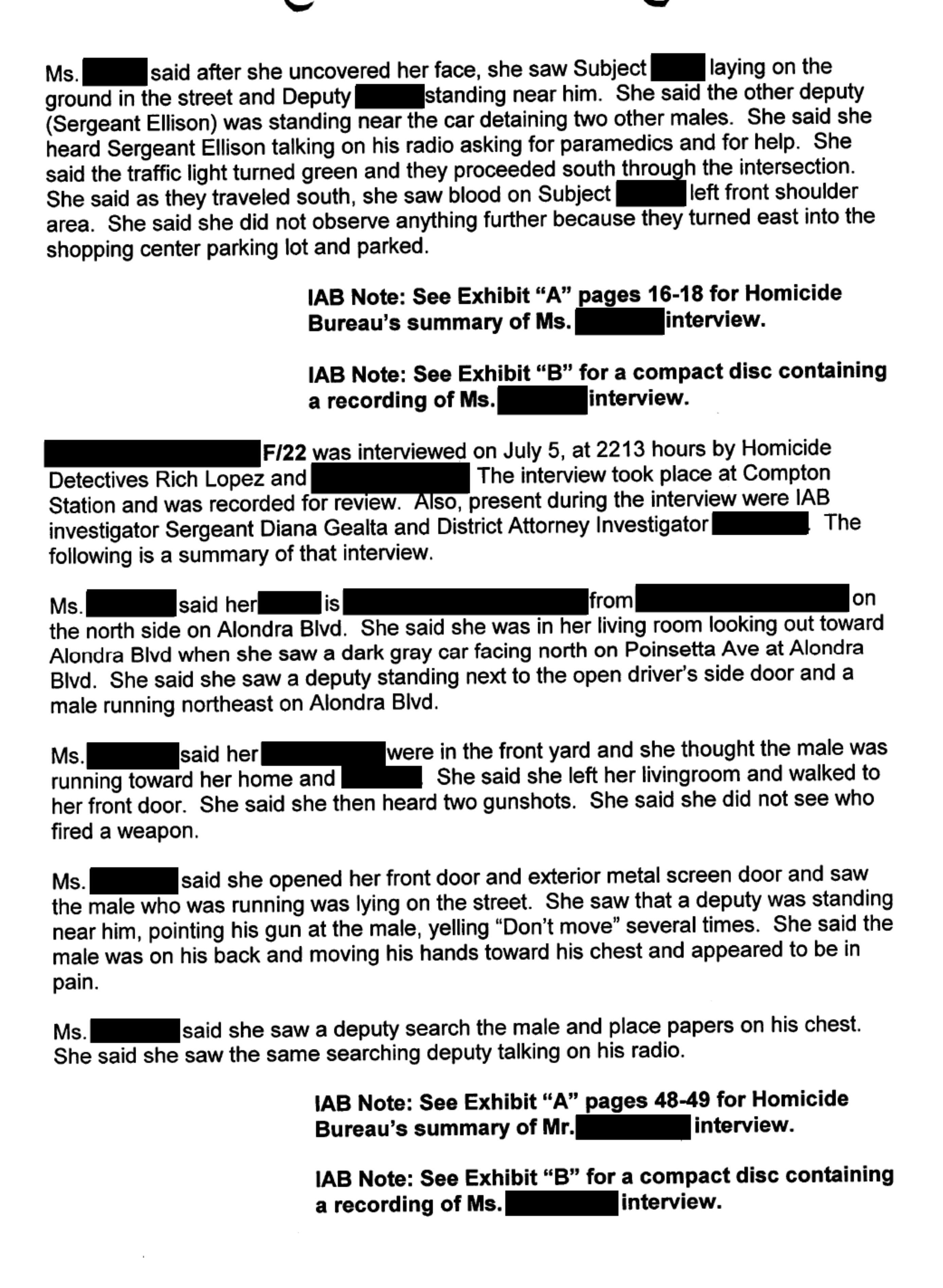
IAB Note: See Exhibit "B" for a compact disc containing a recording of [redacted] interview.

[redacted] **F/42**, was interviewed on July 5, at 2213 hours by Homicide Detectives Jeff Cochran and Steve Blagg. The interview took place at Compton Station and was recorded for review. Also, present during the interview were IAB investigator Sergeant David Bly and Deputy District Attorney Renee Cartaya. The following is a summary of that interview.

Ms. [redacted] said she was in her [redacted] truck with her [redacted] (driver) and [redacted] She said they were stopped southbound on Poinsettia Ave at Alondra Blvd waiting for the light to turn green. She said, across the intersection, she saw a vehicle she thought was broken down. She made mention of the broken down vehicle to [redacted] and she said [redacted] told her the police had stopped the vehicle. She said she saw one male run south on Poinsettia and another male (wearing a orange shirt) run east on Alondra Blvd.

Ms. [redacted] said she heard someone yell "Stop, stop" and she thought it was the police who yelled, but was not sure. She said she saw a officer (Deputy [redacted]) run after the male (Subject [redacted]) on Alondra Blvd. She said Deputy [redacted] had his gun drawn. She said she only saw the left side of Subject [redacted] body and she did not see any objects in his hands.

Ms. [redacted] said she told her [redacted] she thought Deputy [redacted] was going to shoot Subject [redacted] and she covered her face. She said she heard two gunshots. She said she did not see Deputy [redacted] shoot his weapon and she last saw Deputy [redacted] and Subject [redacted] on the south sidewalk of Alondra Blvd.



Ms. [redacted] said after she uncovered her face, she saw Subject [redacted] laying on the ground in the street and Deputy [redacted] standing near him. She said the other deputy (Sergeant Ellison) was standing near the car detaining two other males. She said she heard Sergeant Ellison talking on his radio asking for paramedics and for help. She said the traffic light turned green and they proceeded south through the intersection. She said as they traveled south, she saw blood on Subject [redacted] left front shoulder area. She said she did not observe anything further because they turned east into the shopping center parking lot and parked.

IAB Note: See Exhibit "A" pages 16-18 for Homicide Bureau's summary of Ms. [redacted] interview.

IAB Note: See Exhibit "B" for a compact disc containing a recording of Ms. [redacted] interview.

[redacted] **F/22** was interviewed on July 5, at 2213 hours by Homicide Detectives Rich Lopez and [redacted] The interview took place at Compton Station and was recorded for review. Also, present during the interview were IAB investigator Sergeant Diana Gealta and District Attorney Investigator [redacted]. The following is a summary of that interview.

Ms. [redacted] said her [redacted] is [redacted] from [redacted] on the north side on Alondra Blvd. She said she was in her living room looking out toward Alondra Blvd when she saw a dark gray car facing north on Poinsetta Ave at Alondra Blvd. She said she saw a deputy standing next to the open driver's side door and a male running northeast on Alondra Blvd.

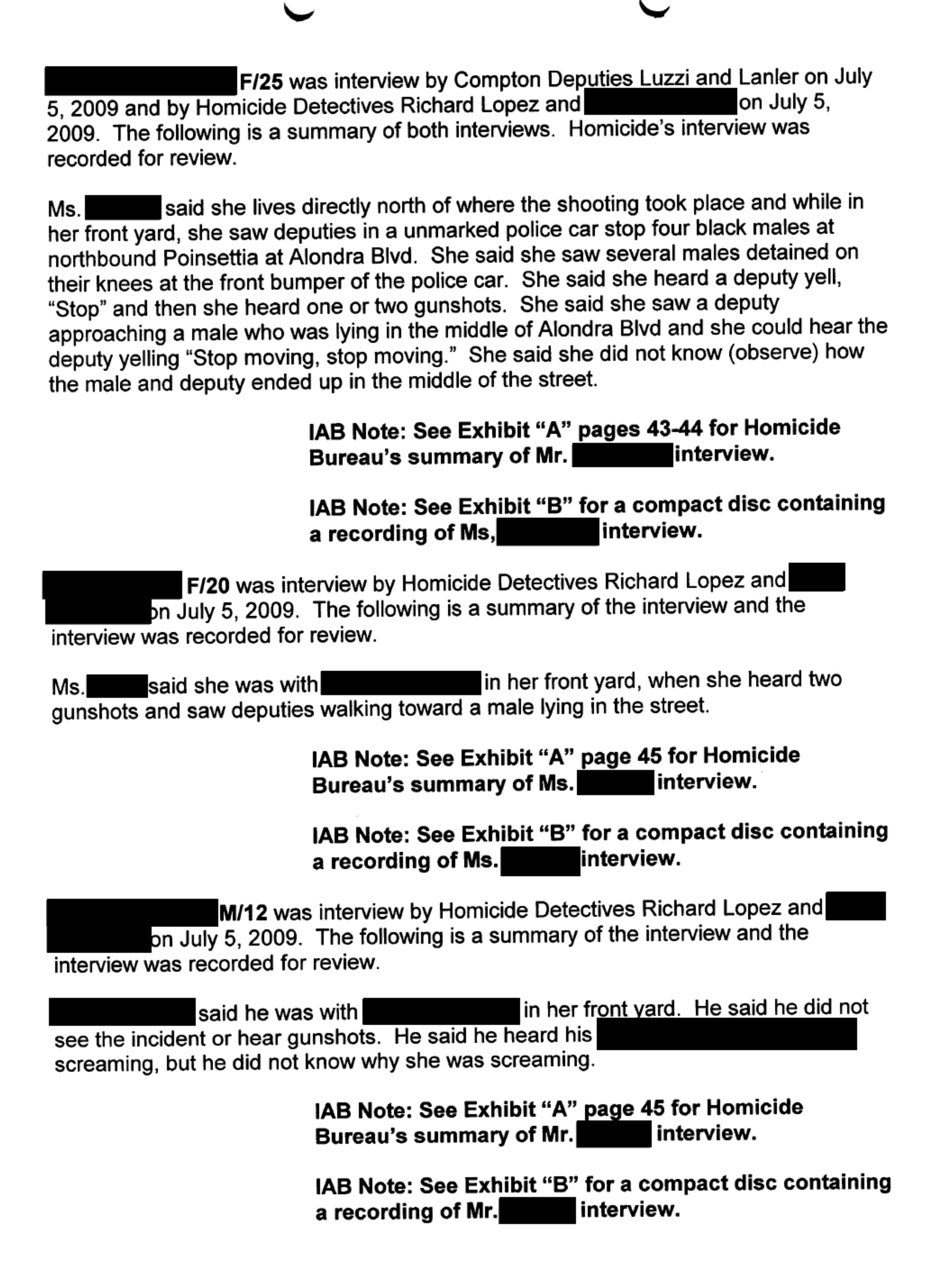
Ms. [redacted] said her [redacted] were in the front yard and she thought the male was running toward her home and [redacted]. She said she left her livingroom and walked to her front door. She said she then heard two gunshots. She said she did not see who fired a weapon.

Ms. [redacted] said she opened her front door and exterior metal screen door and saw the male who was running was lying on the street. She saw that a deputy was standing near him, pointing his gun at the male, yelling "Don't move" several times. She said the male was on his back and moving his hands toward his chest and appeared to be in pain.

Ms. [redacted] said she saw a deputy search the male and place papers on his chest. She said she saw the same searching deputy talking on his radio.

IAB Note: See Exhibit "A" pages 48-49 for Homicide Bureau's summary of Mr. [redacted] interview.

IAB Note: See Exhibit "B" for a compact disc containing a recording of Ms. [redacted] interview.



[redacted] **F/25** was interview by Compton Deputies Luzzi and Lanler on July 5, 2009 and by Homicide Detectives Richard Lopez and [redacted] on July 5, 2009. The following is a summary of both interviews. Homicide's interview was recorded for review.

Ms. [redacted] said she lives directly north of where the shooting took place and while in her front yard, she saw deputies in a unmarked police car stop four black males at northbound Poinsettia at Alondra Blvd. She said she saw several males detained on their knees at the front bumper of the police car. She said she heard a deputy yell, "Stop" and then she heard one or two gunshots. She said she saw a deputy approaching a male who was lying in the middle of Alondra Blvd and she could hear the deputy yelling "Stop moving, stop moving." She said she did not know (observe) how the male and deputy ended up in the middle of the street.

IAB Note: See Exhibit "A" pages 43-44 for Homicide Bureau's summary of Mr. [redacted] interview.

IAB Note: See Exhibit "B" for a compact disc containing a recording of Ms, [redacted] interview.

[redacted] **F/20** was interview by Homicide Detectives Richard Lopez and [redacted] on July 5, 2009. The following is a summary of the interview and the interview was recorded for review.

Ms. [redacted] said she was with [redacted] in her front yard, when she heard two gunshots and saw deputies walking toward a male lying in the street.

IAB Note: See Exhibit "A" page 45 for Homicide Bureau's summary of Ms. [redacted] interview.

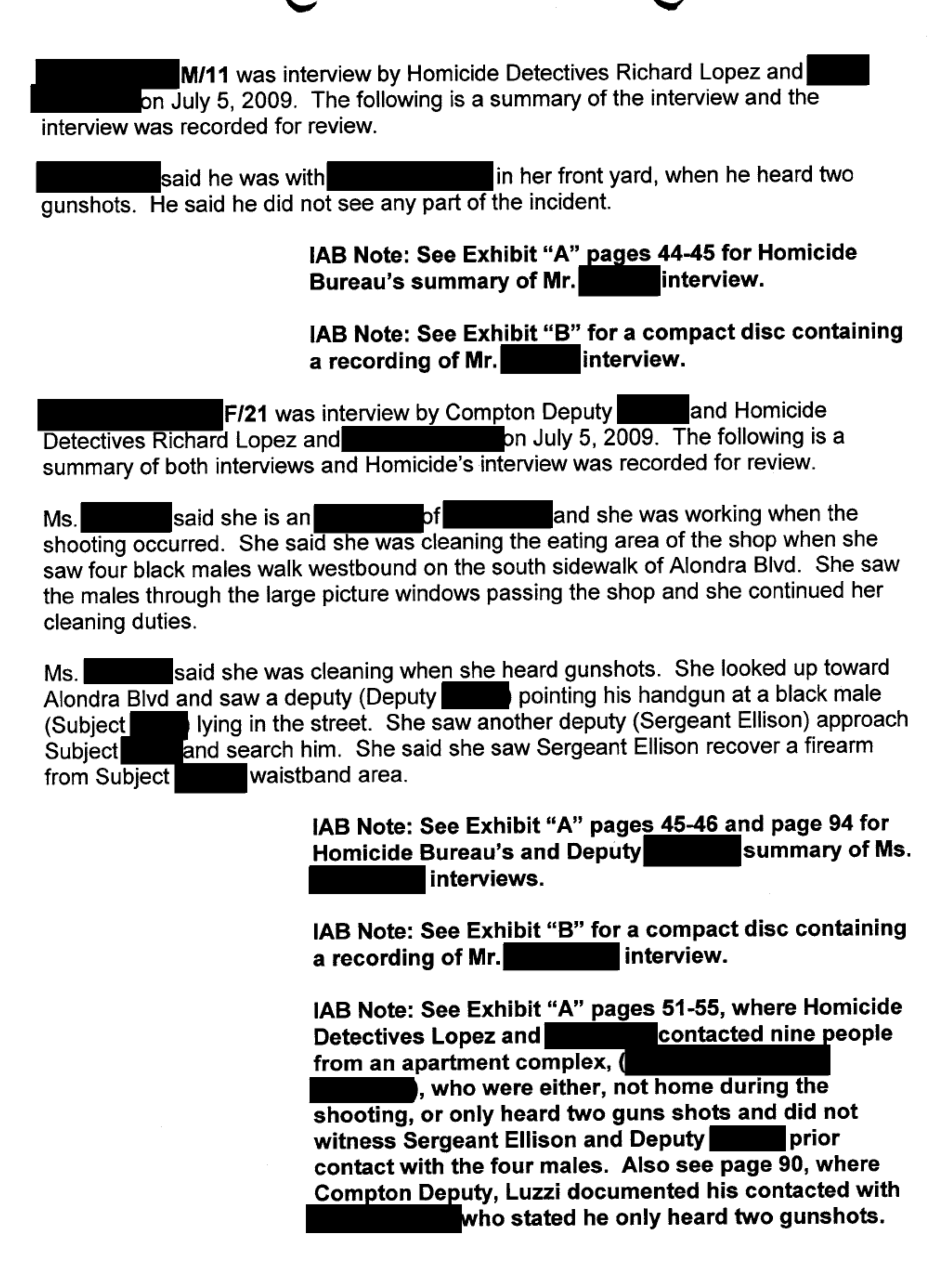
IAB Note: See Exhibit "B" for a compact disc containing a recording of Ms. [redacted] interview.

[redacted] **M/12** was interview by Homicide Detectives Richard Lopez and [redacted] on July 5, 2009. The following is a summary of the interview and the interview was recorded for review.

[redacted] said he was with [redacted] in her front yard. He said he did not see the incident or hear gunshots. He said he heard his [redacted] screaming, but he did not know why she was screaming.

IAB Note: See Exhibit "A" page 45 for Homicide Bureau's summary of Mr. [redacted] interview.

IAB Note: See Exhibit "B" for a compact disc containing a recording of Mr. [redacted] interview.



[redacted] **M/11** was interview by Homicide Detectives Richard Lopez and [redacted] on July 5, 2009. The following is a summary of the interview and the interview was recorded for review.

[redacted] said he was with [redacted] in her front yard, when he heard two gunshots. He said he did not see any part of the incident.

IAB Note: See Exhibit "A" pages 44-45 for Homicide Bureau's summary of Mr. [redacted] interview.

IAB Note: See Exhibit "B" for a compact disc containing a recording of Mr. [redacted] interview.

[redacted] **F/21** was interview by Compton Deputy [redacted] and Homicide Detectives Richard Lopez and [redacted] on July 5, 2009. The following is a summary of both interviews and Homicide's interview was recorded for review.

Ms. [redacted] said she is an [redacted] of [redacted] and she was working when the shooting occurred. She said she was cleaning the eating area of the shop when she saw four black males walk westbound on the south sidewalk of Alondra Blvd. She saw the males through the large picture windows passing the shop and she continued her cleaning duties.

Ms. [redacted] said she was cleaning when she heard gunshots. She looked up toward Alondra Blvd and saw a deputy (Deputy [redacted]) pointing his handgun at a black male (Subject [redacted]) lying in the street. She saw another deputy (Sergeant Ellison) approach Subject [redacted] and search him. She said she saw Sergeant Ellison recover a firearm from Subject [redacted] waistband area.

IAB Note: See Exhibit "A" pages 45-46 and page 94 for Homicide Bureau's and Deputy [redacted] summary of Ms. [redacted] interviews.

IAB Note: See Exhibit "B" for a compact disc containing a recording of Mr. [redacted] interview.

IAB Note: See Exhibit "A" pages 51-55, where Homicide Detectives Lopez and [redacted] contacted nine people from an apartment complex, ([redacted]), who were either, not home during the shooting, or only heard two guns shots and did not witness Sergeant Ellison and Deputy [redacted] prior contact with the four males. Also see page 90, where Compton Deputy, Luzzi documented his contacted with [redacted] who stated he only heard two gunshots.

SUBJECT STATEMENTS

None